

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, 27 April 2016** at **5.00 pm** for the purpose of transacting the following business:-

1. To approve as a correct record the Minutes of the meetings of Council held on 25 February, 3 March and 6 April, 2016 (Pages 3 - 24)
2. Mayor's Communications.
3. Apologies for Absence
4. Declarations of Members' and Officers' Interests relating to items on the Agenda.
5. Vote of Thanks to the retiring Mayor and Mayoress
6. Public Questions to the Council

To receive questions from members of the public in accordance with Standing Order No. 12.

7. Petitions to Council

To receive petitions submitted under Standing Order No. 13

8. Questions to the Leader

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

9. Deputy Leader of the Council and Cabinet Appointments 2016/17 (Pages 25 - 26)

10. Committee Appointments 2016/17 (Pages 27 - 38)

11. Exceptional Circumstances Policy for Community Infrastructure Levy (Pages 39 - 48)

12. Statutory Review of Chesterfield Borough Council's Gambling Policy (Pages 49 - 74)

13. Workforce Strategy (Pages 75 - 126)

14. Minutes of Committee Meetings (Pages 127 - 128)

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

- Appeals and Regulatory Committee
- Employment and General Committee
- Licensing Committee
- Planning Committee

15. To receive the Minutes of the meetings of Cabinet of 23 February, 8 and 22 March and 5 April, 2016 (Pages 129 - 156)


16. To receive the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 5 April, 2016 (Pages 157 - 160)

17. To receive and adopt the Minutes of the meeting of the Community, Customer and Organisational Scrutiny Committee of 22 March, 2016 (Pages 161 - 168)

18. 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

19 April 2016

COUNCIL

Thursday, 25th February, 2016

Present:-

The Mayor

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

69 MINUTES

RESOLVED –

That the Minutes of the meeting of the Council held on 16 December, 2015 be approved as a correct record and be signed by the Chair.

70 MAYOR'S COMMUNICATIONS.

The Mayor referred to the following Mayoral engagements:

- Visiting the new Queen's Park Sport Centre.
- Signing the book of remembrance on World Holocaust Day.

The Mayor also referred to the upcoming world record attempt for the world's largest first aid lesson at the Proact Stadium.

71 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Borrell, Dyke, Hollingworth and Parsons.

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

No declarations of interest were received.

73 PUBLIC QUESTIONS TO THE COUNCIL

There were no questions.

74 PETITIONS TO COUNCIL.

No petitions had been received.

75 QUESTIONS TO THE LEADER

Under Standing Order No.14 Members asked the Leader the following questions.

- Councillor A Diouf asked for an update on the latest planning and development situation at the former Walton works. The Leader advised that a full written response would be circulated to all members to provide an update on this matter.
- Councillor Hitchin asked about the support that the council was offering to ex-services personnel, especially with regard to housing. The Leader provided a verbal response.

76 HOUSING CAPITAL PROGRAMME

Pursuant to Cabinet Minute No.162 the Housing Service Manager - Business Planning and Strategy, submitted the Housing Capital Programme for 2016/17 for approval by Council. The provisional Capital Programmes for 2017/18 and 2018/19 were also presented to Council for information.

RESOLVED –

1. That the Housing (Public Sector) Capital Programme for 2016/17 be approved, and its procurement, as necessary, be authorised.
2. That the provisional Housing (Public Sector) Capital Programme's for 2017/18 and 2018/19 be noted.
3. That the Operational Services Division share of the Programme be approved.
4. That the Housing Service Manager - Business Planning and Strategy be delegated authority to vire between programme heads and budgets in order to manage the Capital Programme as set out in the report.

77 GENERAL FUND CAPITAL PROGRAMME

Pursuant to Cabinet Minute No.158 the Chief Finance Officer submitted the updated General Fund Capital Strategy and Programme for 2015/16 to 2018/19 for approval by Council.

The Chief Finance Officer also sought approval for the proposed growth requests outlined in paragraph 8.4 of the report to be added to the Capital Programme and recommended that other capital schemes be either placed on a waiting list pending the availability of capital receipts, or be deferred.

RESOLVED –

1. That the Capital Strategy be approved.

2. That the updated General Fund Capital Programme expenditure and financing be approved.
3. That the new schemes outlined in paragraph 8.4 of the Chief Finance Officer's report are added to the Capital Programme.
4. That the prioritised list of "waiting list" schemes for the Capital Programme be approved.

78 **TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGIES**

Pursuant to Standards and Audit Committee Minute No.35 the Chief Finance Officer submitted the Treasury Management Strategy Statement and the Annual Investment Strategy Statement for 2016/17 for approval by Council. The Chief Finance Officer also recommended that Council re-affirmed its adoption of CIPFA's Code of Practice on Treasury Management.

RESOLVED –

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

79 **2016/2017 BUDGET AND MEDIUM TERM FINANCIAL PLAN**

Pursuant to Cabinet Minute No.157, the Chief Executive and the Head of Finance submitted a joint report to seek Council approval for the General Fund budget for 2016/17.

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

FOR –

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

AGAINST – None

ABSTENTIONS –

Councillors:	J Barr	Bingham
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RESOLVED –

1. That the revised budget for 2015/16 be approved.
2. That the Local Government Finance Settlement be noted.
3. That, subject to receiving a full report of the implications of the offer, the principle of receiving a four year Local Government Finance Settlement be approved.
4. That the Collection Fund and the Tax Base forecasts be noted.

5. That the Portfolio budgets and the overall revenue budget summary for 2016/17 be approved.
6. That authority be delegated to the Chief Finance Officer in consultation with the Leader, Deputy Leader and Chief Executive to review what is required to submit an Efficiency Strategy for the Council to ensure that maximum opportunity is taken from the proposed flexibility in relation to the future use of capital receipts.
7. That the budget forecasts for 2016/17 and the medium term as well as the strategy for addressing the projected deficits be noted.
8. That the estimates of reserves including:
 - i. maintaining the General Working Balance at £1.5m;
 - ii. allocating £40k from the Invest to Save Reserve and £110k from the Service Improvement Reserve to finance the £150k budget growth request for support to deliver the Council's savings targets;
 - iii. allocating £245k from the Property Repairs Fund to fund capital programme schemes;be approved.
9. That the budget risks and sensitivity analysis be noted.
10. That the Local Business Rate Retail Relief schemes, for which the Government will no longer be providing funding, cease.
11. That the recommended £5 increase in Council Tax for 2016/17 be approved.
12. That the 2016/17 Council Tax Requirement and financing be approved.
13. That the Chief Financial Officer's assurances be noted.

80 **COUNCIL TAX FOR 2016/17**

The Head of Finance submitted a report, the purpose of which was to enable the Borough Council, as Tax Collecting Authority, to set the Council Tax for its area for 2016/17 as required by the Local Government Finance Act 1992.

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

FOR –

Councillors:	Bagley	T Gilby
	Bellamy	Huckle
	Blank	J Innes
	Brady	P Innes
	Brittain	Ludlow
	Brown	Miles
	Brunt	A Murphy
	Burrows	T Murphy
	Callan	Perkins
	Catt	Sarvent
	Caulfield	Serjeant
	D Collins	Hill
	L Collins	Hitchin
	Derbyshire	Rayner
	Dickinson	Simmons
	Elliott	Slack
	Flood	Wall
	P Gilby	

AGAINST – None

ABSTENTIONS –

Councillors:	J Barr	A Diouf
	P Barr	V Diouf
	Bingham	Niblock
	Bexton	Redihough
	Davenport	

RESOLVED –

1. That it be noted that at its meeting on 25 January 2016 the Employment and General Committee calculated the following tax base amounts for the year 2016/17 in accordance with regulation made under Section 31B of the Local Government Finance Act 1992 as:
 - a. 28,271.58 being the amount calculated for the whole Council area.
 - b. For those areas to which a parish precept applies:

Staveley Town Council 4,019.61
Brimington Parish Council 2,243.44
2. That the Council approves the calculation of the Council Tax requirement for the Council's own purposes for 2016/17 (excluding parish precepts) as £4,237,627.
3. That the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Act:
 - a) £116,080,655 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act (gross expenditure) taking into account all precepts issued to it by Parish Councils;
 - b) £113,222,348 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act (gross income including grants and the use of reserves);
 - c) £68,221 being the surplus on the Council tax elements of the Collection Fund and £1,851,506 being the deficit on the Business Rate elements;
 - d) £4,641,592 being the amount by which the aggregate at 3.3(a) above exceeds the aggregate at 3.3(b) above plus 3.3(c), calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year.

Please note that this is the total of the Borough's requirement of £4,237,627 plus the total parish precepts of £403,965;

- e) £164.18 being the amount at 3.3(d) above divided by 3.1(a) above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- f) £403,965 being the aggregate amount of all special items (parish precepts) referred to in Section 34(1) of the Act.
- g) £149.89 being the amount at 3(e) above less the result given by dividing the amount at 3(f) above by the amount at 3.1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates. The tax does not exceed the principles set by the Secretary of State for determining excessive tax increases and triggering a referendum.

Parts of the Council's area:

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

Parish	Band 'D' Tax £
Staveley	238.53
Brimington	171.14

- (i) The amounts given by multiplying the amounts at 3.3(g) and 3.3(h) by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of

the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands:

Part of the Council's area	Valuation Band							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Staveley Town Council	159.02	185.52	212.03	238.53	291.54	344.54	397.55	477.06
Brimington Parish Council	114.09	133.11	152.12	171.14	209.17	247.20	285.23	342.28
All other parts of the Borough	99.93	116.58	133.24	149.89	183.20	216.51	249.82	299.78

4. That it be noted that for the year 2016/17 the Derbyshire County Council, the Derbyshire Fire and Rescue Service and the Derbyshire Police & Crime Commissioner have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Precepting Authority	Valuation Band							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Derbyshire County Council	776.78	906.24	1,035.71	1,165.17*	1,424.10	1,683.02	1,941.95	2,330.34
Derbyshire Fire & Rescue Service	47.45	55.36	63.27	71.18	87.00	102.82	118.63	142.36
Derbyshire Police & Crime Commissioner	118.05	137.72	157.40	177.07	216.42	255.77	295.12	354.14

*The Derbyshire County Council Tax increase of 3.99% includes 2.00% to support the delivery of adult social care duties and responsibilities in 2016/17, equivalent to an additional £22.41 for dwellings in Council Tax Valuation Band 'D', which is included in the £1,165.17 in the table above.

5. That, having calculated the aggregate in each case of the amounts at 3.3(i) and 3.4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts

as the amounts of Council Tax for the year 2016/17 for each of the categories of dwellings shown below:

Part of the Council's area	Valuation Band							
	A 6/9	B 7/9	C 8/9	D 9/9	E 11/9	F 13/9	G 15/9	H 18/9
	£	£	£	£	£	£	£	£
Staveley Town Council	1,101.30	1,284.84	1,468.41	1,651.95	2,019.06	2,386.15	2,753.25	3,303.90
Brimington Parish Council	1,056.37	1,232.43	1,408.50	1,584.56	1,936.69	2,288.81	2,640.93	3,169.12
All other parts of the Borough	1,042.21	1,215.90	1,389.62	1,563.31	1,910.72	2,258.12	2,605.52	3,126.62

81 **CHESTERFIELD BOROUGH COUNCIL'S COUNCIL PLAN 2016/17 UPDATE**

Pursuant to Cabinet Minute No. 159 the Corporate Management Team submitted for approval the Council Plan 2015-2019, updated for 2016/17.

The Council Plan had been revised to show the progress made during the first year of the plan, and also to highlight the progress expected by the half-way point of the plan which would be in April 2017. The refreshed plan provided continuity with the 2015/16 version of the plan, maintaining the same vision, three overarching priorities, four year aims and Council values.

RESOLVED –

1. That the Council Plan 2015-2019, updated for 2016/17 is adopted as the Council's strategic framework.
2. That the Deputy Leader is delegated authority to approve any minor drafting changes that may be required in order to improve the readability of the plan.

82 **SENIOR PAY POLICY STATEMENT FOR 2016/17**

Pursuant to Cabinet Minute No. 143 the Human Resources and Payroll Service Solution Lead submitted a report seeking Council approval for the revised Senior Pay Policy Statement in accordance with the Localism Act 2011 and the Local Government (Transparency Requirements) (England) Regulations 2014.

The policy statement included details of how senior pay is set within the Council. The revised statement had been updated to reflect the changes to the senior management structure, pension contributions and pension discretions.

RESOLVED –

That the revised Senior Pay Policy Statement for 2016/17 be approved.

83 **LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC****RESOLVED -**

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

84 **SHEFFIELD CITY REGION INVESTMENT FUND - FUNDING AGREEMENTS**

Pursuant to Cabinet Minute No.165 the Development and Growth Manager submitted a report to update members on the Sheffield City Region Investment Fund (SCRIF) and the requirements of the Sheffield City Region Combined Authority with regard to funding agreements with local authority sponsors of SCRIF schemes, and to request authorisation that Chesterfield Borough Council should enter into funding agreements with the Sheffield City Region Combined Authority for the delivery of infrastructure works on the Chesterfield Waterside and Peak Resort schemes.

RESOLVED –

1. That the Council enters into the Sheffield City Region Investment Fund (SCRIF) funding agreement with Sheffield City Region Combined Authority for the delivery of Chesterfield Waterside and Peak Resort, subject to a satisfactory business case being in place.
2. That the Cabinet Member for Regeneration is delegated authority to approve back to back funding agreements with the final recipients of SCRIF funding – Chesterfield Waterside Ltd and Birchall Properties Ltd.

85 LOCAL GOVERNMENT ACT 1972 - RE-ADMISSION OF THE PUBLIC**RESOLVED -**

That the public be readmitted to the meeting.

86 MINUTES OF COMMITTEE MEETINGS**RESOLVED -**

That the Minutes of the following Committees be noted:-

Appeals and Regulatory Committee of 9, 16 and 23 December, 2015, 6 and 27 January and 10 February, 2016.

Employment and General Committee of 25 January, 2016.

Licensing Committee of 30 December, 2015 and 6, 13 and 20 January, 2016.

Planning Committee of 7 December, 2015, 11 January and 1 February, 2016.

Standards and Audit Committee of 3 February, 2016.

87 MINUTES OF THE CABINET**RESOLVED -**

1. That the minutes of the meetings of Cabinet of 15 December, 2015, 12 and 26 January and 9 February, 2016 be noted.
2. That the recommendation at Minute No 150 (1), be approved.

88 MINUTES OF THE JOINT CABINET AND EMPLOYMENT AND GENERAL COMMITTEE**RESOLVED -**

That the minutes of the meetings of the Joint Cabinet and Employment and General Committee of 15 December, 2016 and 9 February, 2016 be noted.

89 MINUTES OF THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM**RESOLVED -**

That the Minutes of the meetings of the Overview and Performance Scrutiny Forum of 10 November and 8 December, 2015 and 12 January, 2016 be approved.

90 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 24 November, 2015 be approved.

91 QUESTIONS UNDER STANDING ORDER NO. 19.

There were no questions.

COUNCIL**Thursday, 3rd March, 2016**

Present:-

The Mayor

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

92 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Bagley, L Collins, Perkins and Sarvent.

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

No declarations of interest were received.

94 PUBLIC QUESTIONS TO THE COUNCIL

No questions had been received.

95 PETITIONS TO COUNCIL

No petitions had been received.

96 QUESTIONS TO THE LEADER

Under Standing Order No.14 Councillor Bellamy asked what support the council could offer the staff who would be made redundant when the HMRC Tax Office in Chesterfield closed later this year. The Leader provided a verbal response.

97 MEMBERSHIP OF COMBINED AUTHORITIES AND RATIFICATION OF THE SHEFFIELD CITY REGION DEVOLUTION DEAL

It was moved by the Mayor, seconded by the Deputy Mayor and resolved that, under Standing Order No. 22 (e), Standing Order No. 23.4 be suspended for agenda item 6 "Membership of Combined Authorities and ratification of the Sheffield City Region Devolution Deal", and that the mover of the report and the Leader of the Minority Group be allowed to speak for more than five minutes on this item.

The Chief Executive submitted a report asking members to consider options for the council's membership of existing and proposed combined authorities, and the respective benefits of the different options for the communities of Chesterfield.

The report considered the potential benefits and risks of the two main options available to the Council of (i) becoming a full member of the Sheffield City Region Combined Authority (SCR CA) and joining the North Midlands Combined Authority, if established, as a non-constituent member, and of (ii) joining a North Midlands Combined Authority, if established, as a full member and continuing with non-constituent membership of the SCR CA.

It was noted that the major benefit to Chesterfield of the Sheffield City Region Devolution Deal was a share of £900 million over the next 30 years that would support the delivery of key regeneration projects,

improve the skills of local people and help local businesses to become more competitive.

The Leader reiterated to Members that joining the SCR CA would not compromise Chesterfield Borough Council's independence and existence as an independent authority, and was categorically not about taking Chesterfield out of Derbyshire and into South Yorkshire.

RESOLVED –

1. That the October 2015 Sheffield City Region Devolution deal be ratified.
2. That Chesterfield Borough Council applies to be a full constituent member of the Sheffield City Region Combined Authority in line with the statutory process.
3. That Chesterfield Borough Council applies to be a non-constituent member of a North Midlands Combined Authority if formed.
4. That the actions to mitigate the risks of becoming a full member of the Sheffield City Region Combined Authority, as set out in section 6 of the Chief Executive's report, be approved and implemented.
5. That the Leader be delegated authority to take further steps that are necessary as part of the processes to put in place the above resolutions, subject to regular reports on progress being made to Cabinet and, where required, to Council.

98 QUESTIONS UNDER STANDING ORDER NO. 19

There were no questions.

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COUNCIL**Wednesday, 6th April, 2016**

Present:-

The Mayor

Councillors	J Barr	Councillors	T Gilby
	P Barr		Hill
	Bellamy		Hitchin
	Bexton		Hollingworth
	Borrell		Huckle
	Brady		P Innes
	Brown		Ludlow
	Brunt		Miles
	Burrows		A Murphy
	Callan		T Murphy
	Catt		Niblock
	Caulfield		Parsons
	Davenport		Perkins
	Derbyshire		Rayner
	Dickinson		Sarvent
	Dyke		Serjeant
	Elliott		Simmons
	Flood		Slack
	P Gilby		

99 APOLOGIES FOR ABSENCE

Apologies were received from Concillors Bagley, Blank, Brittain, A Diouf, V Diouf, J Innes, Redihough and Wall.

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

No declarations of interest were received.

101 PUBLIC QUESTIONS TO THE COUNCIL

Under Standing Order No.12 Mr Max Kerley asked the following question.

“If Chesterfield Borough Council becomes a full member of the Sheffield City Region and if the elected mayor of the North Midlands Region is given the powers currently exercised by the Derbyshire Police and Crime Commissioner, then how will Chesterfield Borough Council deal with the disenfranchisement of the Chesterfield electorate?”

The Leader provided a verbal response to the question as well as to Mr Kerley’s supplementary question.

102 PETITIONS TO COUNCIL

No petitions had been received.

103 QUESTIONS TO THE LEADER

There were no questions.

104 MEMBERSHIP OF COMBINED AUTHORITIES AND RATIFICATION OF THE SHEFFIELD CITY REGION DEVOLUTION DEAL

It was moved by the Mayor, seconded by the Deputy Mayor and resolved that, under Standing Order No. 22 (e), Standing Order No. 23.4 be suspended for agenda item 6 “Membership of Combined Authorities and ratification of the Sheffield City Region Devolution Deal”, and that the mover of the report and the Deputy Leader of the Minority Group be allowed to speak for more than five minutes on this item.

The Chief Executive submitted a report asking members to consider afresh options for the council’s membership of existing and proposed combined authorities, and the respective benefits of the different options for the communities of Chesterfield.

Members had previously considered options for the council’s membership of existing and proposed combined authorities at the meeting of Council held on 3 March, 2016 and had resolved to ratify the October 2015 Sheffield City Region Devolution Deal, to apply to be a full constituent member of the Sheffield City Region Combined Authority and to apply to be a non-constituent member of a North Midlands Combined Authority, if formed.

Since making the decision on 3 March, Derbyshire County Council had formally alleged that the council had failed to comply with its Public Sector Equality Duty and to keep an open mind with respect to its duty to consult the public under the combined authority legislation. A formal response had been sent to the County Council, however, in light of the allegations made, members were asked to consider afresh the options for the council's membership of existing and proposed combined authorities, taking fully into account the information contained in the report, the full Equalities Impact Assessment that had now been prepared and the original report to council of 3 March.

It was again noted that the major benefit to Chesterfield of the Sheffield City Region Devolution Deal was a share of £900 million over the next 30 years that would support the delivery of the borough's key regeneration projects, improve the skills of local people and help local businesses to become more competitive.

The Leader reiterated to Members that joining the Sheffield City Region Combined Authority would not compromise Chesterfield Borough Council's independence and existence as an independent authority, and that Chesterfield would continue to remain very much part of Derbyshire. He also reaffirmed his commitment to getting the best for Chesterfield and its residents as part of Derbyshire.

RESOLVED –

1. That the resolutions at Minute No.97, 2015/16, made at the meeting of Council held on 3 March, 2016, be rescinded.
2. That Chesterfield Borough Council agrees to ratify as an existing non-constituent member of the Sheffield City Region Combined Authority the October 2015 Sheffield City Region Devolution deal.
3. That Chesterfield Borough Council agrees to apply to be a full constituent member of the Sheffield City Region Combined Authority in line with the statutory process.
4. That Chesterfield Borough Council agrees to apply to be a non-constituent member of a North Midlands Combined Authority, if formed.

5. That the proposed actions to mitigate the risks of becoming a full member of the Sheffield City Region Combined Authority, as set out in section 6 of the Chief Executive's 3 March, 2016 report to Council, be approved and implemented.
6. That Chesterfield Borough Council agrees to delegate to the Chief Executive, in liaison with the Leader, authority to take further steps that are necessary as part of the processes to put in place the above resolutions, subject to regular reports on progress being made to Cabinet and, where required, to Council.

105 QUESTIONS UNDER STANDING ORDER NO. 19

There were no questions.

FOR PUBLICATION

**DEPUTY LEADER OF THE COUNCIL AND CABINET
APPOINTMENTS 2016/17**

MEETING: COUNCIL

DATE: 27 APRIL 2016

REPORT BY: DEMOCRATIC SERVICES MANAGER

WARDS: ALL

COMMUNITY ASSEMBLIES: ALL

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS: Nil

1.0 PURPOSE OF REPORT

1.1 To enable the Council to note the appointment by the Leader of the Deputy Leader of the Council and also of the appointments to Cabinet in accordance with Articles 7.3 and 7.4 of the Constitution.

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

2.1 That Council notes that Councillor T. F Gilby shall be the Deputy Leader for the municipal year 2016/17.

2.2 That Council is requested to note the following Cabinet appointments:

Portfolio	Cabinet Member	Assistant Cabinet Member
Deputy Leader and Planning	Councillor Terry Gilby	NA
Housing	Councillor Tom Murphy	Councillor Sarah Hollingworth
Business Transformation	Councillor Ken Huckle	Councillor Keith Brown
Governance	Councillor Sharon Blank	Councillor Mick Wall
Health and Wellbeing	Councillor Chris Ludlow	Councillor Helen Bagley
Town Centre and Visitor Economy	Councillor Amanda Serjeant	Councillor Jean Innes
Minority Member without Portfolio	Leader of the Liberal Democrat Group	NA

3.0 RECOMMENDATION

3.1 That the report be noted.

SANDRA ESSEX
DEMOCRATIC SERVICES MANAGER

Further information on this matter can be obtained from S. Essex (Tel: 01246 345227).

FOR PUBLICATION

COMMITTEE APPOINTMENTS – 2016/17

MEETING:	COUNCIL
DATE:	27 APRIL 2016
REPORT BY:	DEMOCRATIC SERVICES MANAGER
WARDS:	ALL
COMMUNITY FORUMS:	ALL

FOR PUBLICATION
BACKGROUND PAPERS FOR PUBLIC REPORTS: Nil

1.0 **PURPOSE OF REPORT**

- 1.1 To enable the Council to make appointments to Committees for the municipal year 2016/17.

2.0 **COMMITTEE APPOINTMENTS**

- 2.1 The Council is requested to make appointments to the following Committees:-

Planning Committee

Planning Sub Committee

Appeals and Regulatory Committee

Licensing Committee

Employment and General Committee

Overview and Performance Scrutiny Forum

Community, Customer and Organisational Scrutiny Committee

Enterprise and Wellbeing Scrutiny Committee

Standards and Audit Committee

3.0 **PROCEDURES FOR MAKING THE APPOINTMENTS**

- 3.1 The procedure for making the appointments will be as follows:-
- 3.2 The Leader of the Majority Group will move that the various Committees, and the total number of Members on each, shall be as shown in Part 1 of Appendix A.

The Leader's proposal will be seconded and voted upon.

- 3.3 In accordance with Section 15 of the Local Government and Housing Act 1989 and Regulation 14 of the Local Government (Committees and Political Groups) Regulations 1990, the Chief Executive will indicate to Group Leaders details of the number of seats on each Committee which are to be allocated to each Group. These will be as shown in Part 2 of Appendix A.
- 3.4 The Group Leaders will then indicate their Groups' appointments to the Committees. These are as shown at Parts 3 and 4 of Appendix A.

It will be moved, seconded and voted on that the names submitted by the Group Leaders be approved.

- 3.5 The Leader of the Majority Group will move the appointment of the Chairs and Vice-Chairs of each Committee as shown in Part 5 of Appendix A.

The Leader's proposal will be seconded and voted upon.

4.0 **RECOMMENDATION**

- 4.1 That the appointments to Committees for the municipal year 2016/17 be approved.

SANDRA ESSEX
DEMOCRATIC SERVICES MANAGER

Further information on this REPORT can be obtained from Martin Elliott Tel: 01246 345236

PART I - COMMITTEE APPOINTMENTS 2016/17

It shall be moved and seconded that the Member-level bodies of the Council for 2016/17 and the number of Members on each shall be as follows:-

Planning Committee	15 members
Planning Sub Committee	3 members
Appeals and Regulatory Committee	15 members
Licensing Committee	15 members
Employment and General Committee	6 members
Overview and Performance Scrutiny Forum	14 members
Community, Customer and Organisational Scrutiny Committee	8 members
Enterprise and Wellbeing Scrutiny Committee	8 members
Standards and Audit Committee (Borough Council representatives only)	5 members

PART 2 – ALLOCATION OF SEATS

In accordance with Regulation 14 of the Local Government (Committees and Political Groups) Regulations 1990, the Chief Executive will inform the Group Leaders that the allocation of seats on the Member-level bodies for 2016/17 will be as follows:-

Body	Majority Group	Lib Dem. Group	UKIP
Planning Committee	12	3	0
Planning Sub Committee	2	1	0
Appeals and Regulatory Committee	11	3	1
Licensing Committee	12	2	1
Employment and General Committee	5	1	0

Body	Majority Group	Lib Dem. Group	UKIP
Overview and Performance Scrutiny Forum	11	3	0
Community, Customer and Organisational Scrutiny Committee	6	2	0
Enterprise and Wellbeing Scrutiny Committee	7	1	0
Standards and Audit Committee	4	1	0

PART 3 PROPOSED MEMBERSHIP OF BODIES 2016/17

The Group Leaders have indicated that their Groups' appointments will be as follows:-

Planning Committee	<ol style="list-style-type: none">1. Brittain2. Callan3. Catt4. Caulfield5. Dickinson6. Elliott7. Terry Gilby8. Hill9. Miles10.A Murphy11.Simmons12. Wall	<ol style="list-style-type: none">1. Bingham2. P Barr3. Davenport	
Planning Sub Committee	<ol style="list-style-type: none">1. Terry Gilby2. Brittain	<ol style="list-style-type: none">1. P Barr	
Appeals and Regulatory Committee	<ol style="list-style-type: none">1. Bellamy2. Brady3. D Collins4. Derbyshire5. Hitchin6. P Innes7. A Murphy8. Parsons9. Perkins10. Rayner11. Simmons	<ol style="list-style-type: none">1. Bingham2. A Diouf3. Niblock	<ol style="list-style-type: none">1. Bexton

Licensing Committee	<ol style="list-style-type: none"> 1. Bellamy 2. Brady 3. Brown 4. Brunt 5. D Collins 6. L Collins 7. Derbyshire 8. Flood 9. P Innes 10. Parsons 11. Rayner 12. Slack 	<ol style="list-style-type: none"> 1. J Barr 2. Redihough 	<ol style="list-style-type: none"> 1. Bexton
Employment and General	<ol style="list-style-type: none"> 1. Blank 2. Dickinson 3. Elliott 4. J Innes 5. Simmons 	<ol style="list-style-type: none"> 1. Davenport 	
Overview and Performance Scrutiny Forum	<ol style="list-style-type: none"> 1. Callan 2. Catt 3. Derbyshire 4. Dyke 5. Flood 6. Tricia Gilby 7. Miles 8. Parsons 9. Perkins 10. Sarvent 11. Slack 	<ol style="list-style-type: none"> 1. J Barr 2. Borrell 3. V Diouf 	

Community, Customer and Organisational Scrutiny Committee	<ol style="list-style-type: none"> 1. Dyke 2. Flood 3. Miles 4. Parsons 5. Sarvent 6. Slack 	<ol style="list-style-type: none"> 1. J Barr 2. Borrell 	
Enterprise and Wellbeing Scrutiny Committee	<ol style="list-style-type: none"> 1. Callan 2. Catt 3. Derbyshire 4. Dyke 5. Tricia Gilby 6. Perkins 7. Sarvent 	<ol style="list-style-type: none"> 1. V Diouf 	

PART 4 – STANDARDS AND AUDIT COMMITTEE

Under the Local Government Act 2000, the Standards and Audit Committee is not subject to political balance requirements but by local choice the constitution says it will be politically balanced.

The Group Leaders have indicated that their appointments will be as follows:-

Standards and Audit Committee	<ol style="list-style-type: none"> 1. Caulfield 2. Derbyshire 3. Rayner 4. Sarvent 	<ol style="list-style-type: none"> 1. A Diouf 	
----------------------------------	--	--	--

PART 5 - APPOINTMENT OF CHAIRS AND VICE-CHAIRS OF COMMITTEES FOR 2016/17

1. PLANNING COMMITTEE

- (a) It will be moved and seconded that Councillor Brittain be appointed Chair of the Committee for the Council Year 2016/17.
- (b) It will be moved and seconded that Councillor Hill be appointed Vice-Chair of the Committee for the Council Year 2016/17.

2. PLANNING SUB-COMMITTEE

- (a) It will be moved and seconded that Councillor Terry Gilby be appointed Chair of the Sub-Committee for the Council Year 2016/17.
- (b) It will be moved and seconded that Councillor Brittain be appointed Vice-Chair of the Sub-Committee for the Council Year 2016/17.

3. APPEALS AND REGULATORY COMMITTEE

- (a) It will be moved and seconded that Councillor Bellamy be appointed Chair of the Committee for the Council Year 2016/17.
- (b) It will be moved and seconded that Councillor Derbyshire be appointed Vice-Chair of the Committee for the Council Year 2016/17.

4. LICENSING COMMITTEE

- (a) It will be moved and seconded that Councillor Bellamy be appointed Chair of the Committee for the Council Year 2016/17.

- (b) It will be moved and seconded that Councillor Derbyshire be appointed Vice-Chair of the Committee for the Council Year 2016/17.

5. **EMPLOYMENT AND GENERAL COMMITTEE**

- (a) It will be moved and seconded that Councillor Elliott be appointed Chair of the Committee for the Council Year 2016/17.
- (b) It will be moved and seconded that Councillor Simmons be appointed Vice-Chair of the Committee for the Council Year 2016/17.

6. **OVERVIEW AND PERFORMANCE SCRUTINY FORUM**

- (a) It will be moved and seconded that Councillors Slack and Tricia Gilby be appointed as alternating Chair of the Overview and Performance Scrutiny Forum for the Council Year 2016/17.

7. **COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE**

- (a) It will be moved and seconded that Councillor Slack be appointed Chair of the Committee for the Council Year 2016/17.
- (b) It will be moved and seconded that Councillor Borrell be appointed Vice-Chair of the Committee for the Council Year 2016/17.

8. **ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE**

- (a) It will be moved and seconded that Councillor Tricia Gilby be appointed Chair of the Committee for the Council Year 2016/17.
- (b) It will be moved and seconded that Councillor Perkins be appointed Vice-Chair of the Committee for the Council Year 2016/17.

9. STANDARDS AND AUDIT COMMITTEE

- (a) It will be moved and seconded that Councillor Rayner be appointed Chair of the Committee for the Council Year 2016/17.
- (b) It will be moved and seconded that Councillor A Diouf be appointed Vice-Chair of the Committee for the Council Year 2016/17.

NOTES:

No Member of Licensing Committee may be a Member of Planning Committee and vice versa.

No Member of Appeals and Regulatory Committee may be a Member of Employment and General Committee and vice versa.

Leader may not be a Member of Standards and Audit Committee and no more than one Executive member may be a Member of Standards and Audit Committee.

Chairs of Community, Customer and Organisational Scrutiny Committee and Enterprise and Wellbeing Scrutiny Committee to be alternating Chairs of Overview and Performance Scrutiny Forum.

All members of Community, Customer and Organisational Scrutiny Committee and Enterprise and Wellbeing Scrutiny Committee to be members of Overview and Performance Scrutiny Forum, subject to political balance rules.

Planning Committee to include Deputy Leader and Cabinet Member for Planning, other than as Chair.

Planning Sub-Committee to include Deputy Leader and Cabinet Planning for Planning.

Employment and General Committee to include Cabinet Member for Governance

No member of Cabinet may be a member of a Scrutiny Committee and vice versa.

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FOR PUBLICATION
COMMUNITY INFRASTRUCTURE LEVY (CIL)
EXCEPTIONAL CIRCUMSTANCES RELIEF POLICY (J010R)

MEETING:	COUNCIL
DATE:	27 APRIL 2016
REPORT BY:	ECONOMIC GROWTH MANAGER
WARD:	ALL
COMMUNITY ASSEMBLY:	ALL
KEY DECISION:	620

BACKGROUND PAPERS FOR PUBLIC REPORTS:	None
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1.0 PURPOSE OF REPORT

1.1 To update Members on the introduction of the Community Infrastructure Levy (CIL) public examination and to recommend the introduction of a CIL Exceptional Circumstances Relief Policy.

2.0 RECOMMENDATIONS

2.1 To approve the introduction of a Community Infrastructure Levy (CIL) Exceptional Circumstances Relief Policy, as set out in Appendix 1 of this report.

2.2 To amend the Council's corporate delegation scheme to enable decisions on applications for exceptional circumstances relief to be delegated to the council's Planning Committee.

3.0 BACKGROUND

3.1 The Community Infrastructure Levy (CIL) is a new way of seeking contributions from developers towards providing essential infrastructure that is needed to support new development. The Council approved the introduction of a Community Infrastructure Levy (CIL) in December 2011. A draft Charging Schedule was

prepared and subject to independent examination over two days during August 2014. At the time, there was no evidence that an exceptional circumstances relief policy (which is allowed for by the CIL regulations) was required and one was not included in the draft Charging Schedule.

- 3.4 In October 2015, the Council approved the introduction of a CIL Charging Schedule, Infrastructure List and Instalments Policy, and a commencement date of 1st April 2016 (i.e. when a Charging Schedule takes effect and developers begin to pay the levy).
- 3.3 Since approving the introduction of CIL, it has become clear through pre-application discussions with developers that CIL may result in a very small number of developments with complex issues becoming unviable, with the potential to hold up the regeneration of key sites. This report therefore seeks approval for an exceptions policy, which would allow the council to determine, on a case by case basis, whether there is a justification for setting aside the CIL requirement in such cases.

4.0 KEY ISSUES TO CONSIDER

Exceptional Circumstances Relief (ECR)

- 4.1 The CIL Regulations (Regulations 55 to 58) allow CIL charging authorities to set discretionary relief for exceptional circumstances. This allows the Council the discretion to offer ECR where individual sites with specific and exceptional cost burdens would not be viable due to the payment of the CIL charge. Use of an exceptional circumstances policy enables the charging authority to avoid rendering sites with specific and exceptional cost burdens unviable should exceptional circumstances arise. It is a mechanism to enable growth and deliver development where CIL and S.106 conflict.
- 4.2 The CIL Regulations make clear that relief should only be granted in truly 'exceptional circumstances'. The fact that a development might be unviable at the time a planning application is considered is unlikely on its own to constitute 'exceptional circumstances' in relation to the CIL Regulations.
- 4.3 It is important to note that CIL rates in Chesterfield Borough have been set at a level where most development can afford to pay the

CIL charge, supported by viability evidence, taking into account affordable housing requirements and development specific S106 obligations. In view of this, the exceptional circumstances where this policy will be applied will be rare.

- 4.4 There are alternative ways of improving the viability of development schemes, such as by phasing development (so that the phases form separate, chargeable schemes), phasing other Section 106 payments and/or by use of the Council's CIL Instalments policy. Members have agreed that the Instalments Policy is introduced alongside the Charging Schedule and Infrastructure List. The Instalments Policy will allow developers to pay CIL over a number of weeks or months (depending on the level of CIL liability) rather than the total on the commencement of development.
- 4.5 The proposed Exceptional Circumstances Relief Policy sets out the proposed tests which would need to be met before such relief will be offered. The Policy also makes clear that each case will be considered individually and that the Council retains the discretion to make judgements about the viability of the scheme and whether the exceptional circumstances policy applies. It is also important for the Council to ensure that any relief would not constitute State Aid, in accordance with the regulations.

Next steps

- 4.6 The CIL Charging Schedule has been formally approved by resolution of Full Council and took effect across the Borough from 1st April 2016.
- 4.7 If members are minded to approve the proposed Exceptional Circumstances Relief Policy, relief for exceptional circumstances will be available from 9th May 2016 until further notice.
- 4.8 It should be noted that the CIL Regulations give the Council the ability to withdraw this policy at any time with two weeks' notice.
- 4.9 The proposed Exceptional Circumstances Relief Policy is included at Appendix 1.

5.0 CONCLUSION

- 5.1 The Council approved the introduction of a CIL Charging Schedule and set a date for its introduction across the Borough of 1 April 2016. From this date, the Council can begin collecting the levy with a view to funding local infrastructure improvements.
- 5.2 Alongside this, it is recommended that the Council introduces an Exceptional Circumstances Relief Policy.
- 5.3 If members resolve to approve the introduction of an Exceptional Circumstances Relief Policy, in order that the process can work efficiently, it is recommended that members also resolve to amend the Council's corporate delegation scheme to enable decisions on applying the Policy to be delegated to Planning Committee.

6.0 FINANCIAL & OTHER CONSIDERATIONS

Capital or revenue financial implications

- 6.1 The financial ramifications of introducing a CIL were reported to Cabinet in December 2011 and in subsequent reports. Whilst the introduction of the Relief will allow for some developments to come forward without paying CIL, the number of such developments, whilst difficult to predict in detail, is likely to be very small as the regulations require that it only apply in 'truly exceptional circumstances'. It would also only apply to developments that would otherwise not go ahead due to viability concerns, and therefore would not contribute to CIL anyway. Such development may still contribute towards other benefits through Section 106, such as provision of affordable housing, on-site public open space or public art. The overall effect is therefore expected to be at worst financially neutral and may in some cases see a small benefit through section 106 planning obligations. The introduction of an Exceptional Circumstances Relief Policy will offer a mechanism to enable growth and deliver development in circumstances where CIL and Section 106 conflict and would otherwise prevent development occurring.

Legal and human rights

- 6.2 The preparation of CIL, and the introduction of an Exceptional Circumstances Relief Policy has been in accordance with the

statutory requirements of the Planning Act 2008 and CIL regulations 2010 (as amended).

Public consultation

- 6.3 There is no requirement for public consultation on the introduction of an Exceptional Circumstances Relief Policy under the Planning Act 2008 and CIL regulations 2010 (as amended).

Environmental sustainability and bio-diversity

- 6.4 Local authorities have a duty to have regard to the conservation of biodiversity in exercising their functions in accordance with the Natural Environment and Rural Communities Act which came into force on 1 October 2006.
- 6.5 The introduction of a CIL will provide funds to protect enhance and promote the borough's existing green infrastructure assets.

Risk Management

- 6.6 The potential risks of introducing a CIL Charging Schedule were considered by Members in October 2015 and are shown below. The introduction of an Exceptional Circumstances Relief Policy has been added to the original Risk assessment as a Mitigating Action.

The council approves and introduces a CIL Charging Schedule			
Risk	Likelihood (H/M/L)	Impact (H/M/L)	Mitigating action
The introduction of a CIL Charging Schedule makes residential and retail development unviable and deters new development in the Borough.	L	H	The Council has the discretion to remove a Charging Schedule at any time. Introduction of an Exceptional Circumstances Relief Policy
The council does not approve and introduce a CIL Charging Schedule			
Risk	Likelihood (H/M/L)	Impact (H/M/L)	Mitigating action
The Council misses out on much needed funding for infrastructure projects.	H	H	The Council utilises a scaled-down Section 106 system in an attempt to remedy infrastructure deficiencies.

Equalities Impact Assessment (EIA)

- 6.7 A preliminary EIA was undertaken as part of the adoption of the CIL charging schedule and no negative impacts on protected groups were identified (Considered by Members in October 2015). Consequently, given the obvious public benefits of CIL a full EIA was not required.
- 6.8 The introduction of an Exceptional Circumstances Relief Policy will have the effect of allowing development to come forward that would not otherwise do so, with the potential benefit of additional S106 planning obligation benefits. The loss of potential CIL income will therefore be balanced by the positive benefits that the policy would bring about in enabling the achievement of wider regeneration benefits and it is therefore considered that no additional EIA is required.

7.0 RECOMMENDATIONS

- 7.1 To approve the introduction of a Community Infrastructure Levy (CIL) Exceptional Circumstances Relief Policy, as set out in Appendix 1 of this report.
- 7.2 To amend the Council's corporate delegation scheme to enable decisions on applications for exceptional circumstances relief to be delegated to the council's Planning Committee.

8.0 REASONS FOR RECOMMENDATIONS

- 8.1 To allow the Council the discretion to offer ECR where individual sites with specific and exceptional cost burdens would not be viable due to the payment of the CIL charge. Use of the proposed Policy will enable the Council to avoid rendering sites with specific and exceptional cost burdens unviable. This will offer a mechanism to enable growth and deliver development where CIL and Section 106 conflict.
- 8.2 To enable the efficient working of the proposed policy.

Appendix 1

Community Infrastructure Levy: Exceptional Circumstances Relief Policy.

Community Infrastructure Levy - Exceptional Circumstances Relief

Preamble

The CIL Regulations (Regulations 55 to 58) allow CIL charging authorities to grant relief from liability to pay CIL if it appears to the authority that there are exceptional circumstances which justify doing so, and that the authority considers it expedient to do so. Use of an exceptional circumstances relief policy enables the charging authority to avoid rendering sites with specific and exceptional cost burdens unviable. It is a mechanism to enable growth and deliver development where CIL and S.106 conflict.

The CIL Regulations make clear that relief should only be granted in truly 'exceptional circumstances'. The fact that a development might be unviable at the time a planning application is considered is unlikely to constitute 'exceptional circumstances' in relation to the CIL Regulations.

It is important to note that CIL rates in Chesterfield Borough have been set at a level where most development can afford to pay the CIL charge, supported by viability evidence, taking into account affordable housing requirements and development specific S106 obligations. In view of this, the exceptional circumstances where this policy will be applied will be rare.

There are alternative ways of improving the viability of development schemes, such as by phasing development (so that the phases form separate, chargeable schemes), phasing other Section 106 payments and/or by use of the Council's CIL Instalments policy.

Community Infrastructure Levy: Exceptional Circumstances Relief Policy

This document gives notice that Chesterfield Borough Council has determined to make relief for exceptional circumstances available, in accordance with Regulations 55 to 57 of the Community Infrastructure Levy Regulations 2010 (as amended)

Exceptional Circumstances Relief (ECR) will be offered where individual sites with specific and exceptional cost burdens would not be viable due to the payment of the CIL Charge (see CIL Regulations 55 to 57). The Regulations state that the Council may grant relief from liability to pay CIL if it appears to the Council that there are exceptional circumstances which justify doing so and the Council considers it expedient to do so. Each case will be considered individually by the Council, which retains the discretion to make judgements about the viability of the scheme and whether the exceptional circumstances policy applies.

The Regulations also require that there must be a planning obligation in place in relation to the planning permission which permits the chargeable development.

Relief for exceptional circumstances will be available from 9th May 2016 until further notice. (It should be noted that the CIL Regulations give the Council the ability to withdraw this policy at any time with two weeks' notice.)

In addition Chesterfield Borough Council may make a judgement in individual cases that exceptional circumstances are not solely based on economic viability. Even where the CIL may give rise to an unacceptable impact on the economic viability of the chargeable development, the Council may also require a demonstration of wider regeneration benefits and/or the need for the applicant to show that a particular site has to be brought forward imminently in order to achieve wider benefits.

A person claiming relief must be an owner of a material interest in the relevant land. Any claim for relief must be submitted in writing, using the appropriate form, and must be received and approved by Chesterfield Borough Council before commencement of the chargeable development¹. Any claim must be accompanied by:

¹ A chargeable development ceases to be eligible for relief for exceptional circumstance if before the chargeable development is commenced there is a disqualifying event. This is where the development is granted charitable or social housing relief, is disposed of, or has not been commenced within 12 months.

- a) an assessment carried out by an independent person², of the economic viability of the chargeable development and the cost of complying with the planning obligation,
- b) an explanation of why payment of the chargeable amount would have an unacceptable impact on the economic viability of that development
- c) an apportionment assessment (if there is more than one material interest in the relevant land) ; and
- d) A declaration that the claimant has sent a copy of the completed claim form to the owners of the other material interest in the relevant land (if any).

The chargeable development can cease to be eligible for exceptional circumstances relief if:

- a) before the chargeable development is commenced, charitable or social housing relief is granted; or
- b) the site (or part of the site) is sold; or
- c) the chargeable development is not commenced within 12 months from the date on which the charging authority issues its decision on the claim

Before granting exceptional circumstances relief for an individual scheme, the Council also must be satisfied that the relief would not constitute notifiable state aid.

² For the purposes of the above paragraph, an independent person is a person who is appointed by the claimant with the agreement of the charging authority and has appropriate qualifications and experience

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FOR PUBLICATION

STATUTORY REVIEW OF CHESTERFIELD BOROUGH COUNCIL'S GAMBLING POLICY

MEETING:	COUNCIL
DATE:	27 APRIL 2016
REPORT BY:	LICENSING OFFICER
WARD:	ALL
COMMUNITY ASSEMBLY:	ALL
KEY DECISION NO.	607

1.0 PURPOSE OF REPORT

- 1.1 The Council's Statement of Principles is concerned with the administration of the licensing functions required of the Council under the Gambling Act 2005.
- 1.2 In accordance with the Gambling Act 2005 the Statement of Principles needs to be published every three years. The previous Policy was published in 2013. Therefore, the Policy needs to be approved by the Members via the Full Licensing Committee, and Full Council and published during 2016.
- 1.3 The Draft Statement of Principles was approved by the Full Licensing Committee on 2 March 2016 where the Committee approved that the Draft Statement can be consulted upon.
- 1.4 The Policy is now referred to full Council for their approval before the final document can be published.

2.0 RECOMMENDATION

- 2.1 That full Council approve the final Statement of Principles including amendments following consultation.

3.0 AMENDMENT TO POLICY

3.1 Since the Policy was published in 2013 there have been changes in legislation which have been included in this edition. The main changes are where there have been changes to Gambling legislation such as:

- Planning legislation for Betting Offices. All new betting offices now require planning permission and have been taken out of general A2 financial and professional service use class.
- Local risk assessments and social responsibility. The gambling commission will formalise (from 6/4/16) the need for operators to consider local risks. All premises licensees are required to assess the local risks to the licensing objectives posed by the provision of Gambling facilities at each of their premises, and produce policies, procedures and control measures to reduce those risks.
- Access to premises. Although there are exceptions the principle is that there can be no access from one licensed gambling premises to another, except between premises that allow access to under 18's.
- Categories of gaming machines. Stakes should be included with the statement of principles.

Change to Format

- Plain English has been used wherever possible.
- Removed explanatory notes for the introduction in 2005 which are no longer necessary.
- The previous statement included types of gambling establishments. This has been summarised to explain each type of facility so the emphasis is on the applicant to contact the authority once they know which licence they require.
- Sections have been reworded and condensed to provide a much clearer guidance to applicants.

- 3.2 The Draft Statement of Principles was approved by the Licensing Committee on 2 March, 2016.
- 3.3 This document was then circulated to members of the trade, responsible authorities, representatives of local premises, and businesses in its area for comments to the Council by 7th April 2016. No responses from the consultation were received.

4.0 RISK MANAGEMENT AND EQUALITIES

4.1 In writing this report Licensing have considered the following licensing objectives:-

- *Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.*
- *Ensuring that gambling is conducted in a fair and open way.*
- *Protecting children and other vulnerable persons from being harmed or exploited by gambling.*

4.2 When considering applications and taking enforcement action the Licensing Authority will have regard to the provisions of the Human Rights Act and in particular;
Article 1, Protocol 1 – peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest.

Article 6 – right to a fair hearing.

Article 8 – respect for private and family life. In particular, removal or restriction of a licence may affect a person's private life.

Article 10 – right to freedom of expression.

Human Rights Act 1998 or any other relevant legislation implemented during the period of this Policy.

5.0 RECOMMENDATION

5.1 That full Council approve the final Statement of Principles including amendments following consultation.

For more information on this report please contact the author,
Emma Marriott, Licensing Officer on 01246 345740, email
emma.marriott@chesterfield.gov.uk



CHESTERFIELD
BOROUGH COUNCIL

STATEMENT OF PRINCIPLES

Made under the Gambling Act 2005

**Licensing Section, Environment Services, Customer Service
Centre, 85 New Square, Chesterfield, Derbyshire, S40 1AH**

or e-mail to licensing@chesterfield.gov.uk

www.chesterfield.gov.uk

ARE WE ACCESSIBLE TO YOU?

If not, ask us

- ✓ We want everyone to be able to understand us.
- ✓ We want everyone to be able to read our written materials.
- ✓ We aim to provide what you need for you to read, talk, and write to us.

On request we will provide free:

- ✓ Language interpreters, including for British Sign Language.
- ✓ Translations of written materials into other languages.
- ✓ Materials in braille, large print, on tape, in Easy Read.

Please contact us:

Telephone: 01246 345247

Fax: 01246 345252

Email: enquiries@chesterfield.gov.uk

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1.0 **Preface**

Under the Gambling Act 2005 all gambling and betting provision, apart from the National Lottery and spread betting, will be regulated by the Gambling Commission.

Chesterfield Borough Council, along with other local licensing authorities, has a duty under the Act to license premises where gambling is to take place, and to license certain other activities (such as registering small society lotteries). This document sets out how we intend to approach this task.

2.0 **The Licensing Objectives**

2.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in Section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

2.2 It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

3.0 **Definitions**

'Gambling' is defined in the Act as either gaming, betting or taking part in a lottery;

'Gaming' means playing a game of chance for a prize

'Betting' means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not true

A 'lottery' is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance

Private gaming in private dwellings and on domestic occasions is exempt from licensing or registration providing that no charge is made for participating; only equal chance gaming takes place; and it does not occur in a place to which the public have access. Domestic betting between inhabitants of the same premises or between employees of the same employer is also exempt.

Non-commercial gaming and betting (where no parts of the proceeds are for private gain) may be subject to certain exemptions. Further advice should be sought from the Council's licensing team where appropriate

All references to the Gambling Commission's Guidance for local authorities, in this document, refer to the latest Guidance issued by the Commission.

3.1 Chesterfield Borough Council's vision for the Borough is to

- Secure the safety and amenity of our communities
- Facilitate a safe and sustainable licensed trade that contributes to that economy and vibrancy of the Borough;
- Reflect the needs of the Borough's community in relation to its cultural needs and diversity by supporting licensable activities, including live music, dancing, theatre and other cultural experiences offered by such activities.

We recognise the clear connection between the objectives of the Gambling Act 2005 and the aspirations for Chesterfield Borough.

3.2 Licensing authorities are required by the Gambling Act 2005 to publish a Statement of Principles which they propose to apply when exercising their functions. The Statement can also be reviewed from "time to time" and then any amended parts re-consulted upon. The Statement will then be re-published. The Statement sets out the manner in which applications will be considered, this can be viewed on the Council's website www.chesterfield.gov.uk. Each application will be considered on its individual merits.

3.3 Some premises already licensed under the Licensing Act 2003 are also affected by the provisions of the Gambling Act 2005 - having Amusement with Prizes machines (AWPs). In addition to premises licensed to sell/supply alcohol, the 2005 Act affects betting shops and tracks (i.e. where any sporting activities take place), family entertainment centres, premises where bingo occurs, casinos, adult gaming centres and travelling fairs. Also affected are operations not licensed generally for gambling purposes but could be used for certain types of gambling for limited periods - these will be covered by Temporary and Occasional Use Permits.

3.4 The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police
- One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area.
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Gambling Act 2005.

3.5 It should be noted that this Statement of Principles will not override the right of any person to make an application, make representations about an application or apply for a review of a licence as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

4.0 **Declaration**

4.1 In producing this Statement of Principles, Chesterfield Borough Council declares that it has regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission and any responses from those consulted on the Statement of Principles.

5.0 Responsible Authorities

5.1 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the Authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.

In accordance with the Gambling Commission's Guidance for local authorities, this Authority designates the Derbyshire Area Child Protection Committee for this purpose.

5.2 The contact details of all the Responsible Bodies under the Gambling Act 2005 are available via the Council's website at www.chesterfield.gov.uk.

6.0 Interested Parties

6.1 Interested parties can make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"a person is an interested party in relation to an application for or in respect of a Premises Licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person -

- (a) lives sufficiently close to the premises to be likely to be affected by the activities;
- (b) has business interests that might be affected by the authorised activities; or
- (c) represents persons who satisfy paragraph (a) or (b)".

6.2 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- Each representation will be considered on its individual merits.
- All decisions made on Premises Licences will be in accordance with the Gambling Commission Guidance (Section 153).

6.3 An individual wishing to approach Councillors to ask him/her to represent his/her views should ensure that the Councillor(s) is/are not part of the Licensing Committee or Sub-Committee dealing with the licence application. This can be checked by contacting Democratic Services, Chesterfield Borough Council, Town Hall, Chesterfield, Derbyshire, S40 1LP tel: 01246 345229/345236 or democratic.services@chesterfield.gov.uk.

7.0 Exchange of Information

- 7.1 Licensing authorities are required to include in their Statement of Principles the principles to be applied by the Authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons lists in Schedule 6 to the Act.
- 7.2 The principle that Chesterfield Borough Council applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. Chesterfield Borough Council will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 7.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

8.0 Enforcement

- 8.1 In exercising the functions under Part 15 and Section 346 of the Gambling Act 2005, respectively, Chesterfield Borough Council will inspect premises and take any enforcement action in respect of offences specified in accordance with its Environment Services Enforcement Policy, Regulators Compliance Code and the Gambling Commission's Guidance.
- 8.2 The main enforcement role of the licensing authority will be to ensure compliance with the premises licence and other permissions which it authorises. Chesterfield Borough Council will endeavour to avoid duplication with other regulatory regimes so far as is possible.
- 8.3 The Gambling Commission will be the enforcing body for the operating and personal licences. Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but need to be notified to the Gambling Commission.

9.0 Licensing Authority Functions

- 9.1 Licensing authorities are required under the Act to;
- Provide information to the Gambling Commission regarding details of licenses issued.
 - Maintain registers of the permits and licences that are issued under these functions. These are available by contacting the Council's Licensing Section and will be available by accessing the Council's website.
- 9.2 Chesterfield Borough Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to Gambling premises.

10.0 Adult Gaming Centres

10.1 An adult gaming centre must hold a general operating licence (adult gaming centre) from the Gambling Commission. They are able to make Category B, C & D gaming machines available.

11.0 (Licensed) Family Entertainment Centre (FEC)

11.1 A licensed FEC must hold a general operating licence (family entertainment centre) from the Gambling Commission. They are able to make category C & D gaming machines available.

12.0 Casinos

12.1 These fall into 2 categories, a large casino or a small casino. There are separate regulations involving a two-stage application process.

12.2 Chesterfield Borough Council will consider conditions in relation to stakes, fees, winning or prizes.

12.3 Chesterfield Borough Council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005. Should Chesterfield Borough Council decide to pass such a resolution, it will update this Statement of Principles.

13.0 Bingo Premises

13.1 Bingo is not given a statutory definition in the Act although two types of bingo are commonly understood;

- Cash bingo; where the stakes paid make up the cash prizes that are won
- Prize bingo; where various forms of prizes are won, not directly related to the stakes paid.

14.0 Betting Premises

14.1 Category B, C or D gaming machines are allowed although category B machines are restricted to sub-category B2, B3 & B4 machines.

14.2 Chesterfield Borough Council can restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence.

14.3 Planning legislation was introduced on 15 April 2015 regarding betting shops. Details of this can be found later on in this policy.

15.0 Tracks

15.1 Tracks are different from other premises in that there may be more than one premises licence in effect and that the track operator may not be required to hold an operator licence.

15.2 As regards the protection of vulnerable persons, Chesterfield Borough Council will consider measures such as the use of self-barring schemes, provision of information leaflets/helpline numbers for organisations such as GamCare.

- 15.3 Chesterfield Borough Council has the power, under the Gambling Act 2005, to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence.
- 15.4 Chesterfield Borough Council would prefer all self-contained premises operated by off-course betting operators on tracks to be the subject of separate premises licences.
- 15.5 Chesterfield Borough Council will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that they are made available to the public.

16.0 Gaming machines at tracks

- 16.1 Consideration will be given to the location of gaming machines at tracks, and applications will need to demonstrate that if using the entitlement to four gaming machines, the machines are located in areas where children are excluded. Children and young persons are not prohibited from playing category D machines on a track.

17.0 Betting machines

- 17.1 Chesterfield Borough Council will take into account the size of the premises and the ability of staff to monitor the use of the machines by children and vulnerable persons. Chesterfield Borough Council may restrict the number and location of machines in respect of track betting premises licences.

18.0 Travelling Fairs

- 18.1 They may provide unlimited number of category D gaming machines on a site that has been used for fairs for no more than 27 days per calendar year. Category B & C machines are not permitted.
Chesterfield Borough Council will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that statutory limits are not exceeded.

19.0 Unlicensed Family Entertainment Centre Gaming machine permits

- 19.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply for an unlicensed family entertainment centre gaming machine permit. The premises will be wholly or mainly used for making gaming machines available for use.
The permit allows any number of category D gaming machines to be available made only when a permit is in place.

20.0 Alcohol Licensed premises gaming machine permits

- 20.1 Any premises which is licensed to sell alcohol for consumption on the premises will automatically have entitlement for 2 gaming machines, of C and/or D category. The premises will need to apply for a Notification of gaming machines.
- 20.2 If a premises wishes to have more than two machines it will need to apply for a gaming machine permit.

21.0 Prize Gaming Permits

- 21.1 A prize gaming permit authorises the provision for gaming with prizes on specified premises. You must not hold a premises licence or club gaming permit for the same premises.

22.0 Club Gaming and Club Machine Permits

- 22.1 Members clubs and Miners Welfare Institutes may apply for a Club Gaming Permit or a Club Gaming machine permit. The club gaming permit will allow the premises to provide a maximum of three machine of category B, C or D gaming machines.
- 22.2 Members clubs must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming. A members club must be permanent in nature, not established to make commercial profit, and controlled by its members equally.
- 22.3 There is a fast track procedure available for premises who hold a club premises certificate under the Licensing Act 2003. Under this procedure there is no opportunity for objection by the commission or police.

23.0 Temporary Use Notices (TUN)

- 23.1 Allows the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling.
- 23.2 A TUN may only be granted to a person/company who holds the relevant operating licence. A set of premises may not be subject of a TUN for more than 21 days in a period of 12 months.

24.0 Occasional Use Notices

- 24.1 Occasional use notices can be used for betting on a track on 8 days or fewer in a calendar year which cannot be exceeded.

25.0 Small Society Lotteries

- 25.1 Small society lotteries are needed for the promotion of a lottery on the behalf of a non-commercial organisation/charity. A society should be established and conducted;
- For charitable purposes, as defined in s.2 of the Charities Act 2006
 - For the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity
 - For any other non-commercial purpose other than that of private gain
- 25.2 If you are holding a raffle and tickets are sold at the premises during the event and the result of the draw is made public while the event takes place you may not require a small society lottery licence as this could be an incidental non-commercial lottery.
- 25.3 It should be noted that local licensing authorities will not be involved in licensing remote gambling. This will fall to the Gambling Commission via Operator Licences.

If you wish to apply for any of the above licences/permits or require additional information please contact Licensing at Customer Service Centre, 85 New Square, Chesterfield, S40 1AH, telephone 01246 345230 or email licensing@chesterfield.gov.uk.

The Council will only accept applications which are made in full with any relevant payment included

PREMISES LICENCES

1.0 General Principles

- 1.1 Premises Licences will be subject to the permissions/restrictions set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.
- 1.2 Chesterfield Borough Council is aware that in making decisions about Premises Licences it should aim to permit the use of premises for gambling in so far as it thinks it is:
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the Authority's Statement of Principles.
- 1.3 The Gambling Commission has advised that "moral objections to gambling are not a valid reason to reject applications for premises licences", and that unmet demand is not a criterion for a licensing authority.
- 1.4 Premises is defined in the Act as "any place". It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises and as the Gambling Commission states in its Guidance for Local Authorities, it "will always be a question of fact in the circumstances". The Gambling Commission does not however consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

2.0 Access to Premises

- 2.1 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations sets out the access provisions for each type of premises. The principle is that there can be no access from one licensed gambling premises to another, except between premises that allow access to under 18's. A further exception is that licensed betting premises may be accessed from other licensed betting premises.
- 2.2 An issue may arise when division of a premises is being considered is the nature of the unlicensed area from which a customer may access a licensed gambling premises. The nature of the public area will depend on the location and nature of the premises.
- 2.3 The Regulations define street as 'including any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not'.

2.4 Relevant access provisions for each premises type is as follows;

Type of Premises	Access provisions
Casino's	<ul style="list-style-type: none"> • the principle entrance to the premises must be from a 'street' • no entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons • no customer must be able to enter a casino directly from any other premises which holds a gambling premises licence
AGCs	<ul style="list-style-type: none"> • no customer must be able to access the premises directly from any other licensed gambling premises
Betting Shops	<ul style="list-style-type: none"> • access must be from a 'street' or from other premises with a betting premises licence • no direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises
Tracks	<ul style="list-style-type: none"> • no customer must be able to access the premises directly from a casino or AGC
Bingo Premises	<ul style="list-style-type: none"> • no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track
FECs	<ul style="list-style-type: none"> • no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track

3.0 Access to gambling by children and young persons

3.1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling and monitor the effectiveness of these.

This must include procedures for;

- a) checking the age of apparently underage customers
- b) removing anyone who appears to be under age who tries to access the gambling facilities and cannot produce an acceptable form of identification
- c) taking action when there are attempts by under-18s to enter the premises

3.2 Chesterfield Borough Council will specifically have regard to the need to protect children and vulnerable persons from harm or from being exploited by gambling and will expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.

3.3 An applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling is constructed. A licence will only be issued in relation to premises that are ready to be used for gambling. This requirement for a building to be complete before a licence will be issued ensures that it can be fully inspected if necessary, by the appropriate authorities with inspection rights.

3.4 Chesterfield Borough Council is aware that demand issues cannot be considered with regard to the location of premises, but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for Local Authorities, this Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this Statement of Principles will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its own merits, with the onus upon the applicant to show how the concerns can be overcome.

4.0 Duplication with Other Regulatory Regimes

4.1 This Authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including Planning. This Authority will not consider whether a licence application is likely to be awarded planning or building consent, in its consideration of it. This Authority will listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

4.2 Premises Licences granted must be reasonably consistent with the licensing objectives.

4.3 Chesterfield Borough Council is aware that the Gambling Commission will be taking a leading role in preventing gambling being a source of crime. Where an area has known high levels of crime, this Authority will consider whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. Chesterfield Borough Council is aware of the distinction between disorder and nuisance, and will consider factors such as whether Police assistance was required and the extent to which the behaviour was threatening, so as to make that distinction. Issue of nuisance cannot be addressed by the Gambling Act provisions.

4.4 Chesterfield Borough Council has noted that the Gambling Commission has stated that it would, generally, not expect Licensing Authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. However, where the Council feels it is aware of unfairness, this information will be relayed to the Gambling Commission.

4.5 Chesterfield Borough Council acknowledges the Commission's Guidance that the protection of children and other vulnerable persons objective means preventing children from taking part in gambling as well as the restriction of advertising so that gambling produces are not aimed at, or are, particularly attractive to children.

4.6 Consideration will be given as to whether specific measures should be required at particular premises - these could include, supervision of entrances, machines, segregation of areas etc.

4.7 The Licensing Authority will pay particular attention to any Codes of Practice which the Gambling Commission issues as regards the licensing objective, protecting children and other vulnerable persons from being harmed or exploited by gambling, in relation to specific premises such as casinos.

4.8 It is understood that a Code of Practice for casinos must:

- specify steps that the premises licence holder must take to ensure that children and young persons (that is those under the age of 18) do not enter casino premises, or in the case of the regional casino, do not enter the gambling area;
- amongst those specified steps, ensure that each entrance to the casino or gambling area is supervised by at least one person ("the Supervisor") who is responsible for compliance with the code of practice; and
- require that, unless the Supervisor is certain that a person seeking admittance is an adult, evidence of age must be required of all those seeking to enter the casino or gambling area.

4.9 Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

4.10 When considering applications under the Gambling Act 2005 the Council will consider placing conditions on the licence to include door supervision, supervision of adult gaming machines and appropriate signage of adult areas. Where it is determined that door supervisors are required, the Licensing Authority will consult with the Police.

4.11 When considering multiple premises licences the Council will consider supervision of entrances; segregations of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

4.12 We will consider conditions including;

- Proof of Age Schemes;
- Supervision of Entrances/Machine Areas;
- Physical Separation of Areas;
- Self-barring schemes;
- Provision of information leaflets/helpline numbers for organisations such as GamCare;
- Measures/training for staff on how to deal with suspected truant school children on the premises;
- CCTV;
- Door Supervisors;
- Location of Entry;
- Notices/Signage
- Specific opening hours; and
- The location of Gaming Machines.

4.13 Chesterfield Borough Council will ensure that where category C or above machines are on offer in premises to which children are admitted -

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

4.14 These considerations will apply to premises including buildings where multiple premises licences are applicable.

4.15 It is noted that there are conditions which the Licensing Authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licensing condition;
- conditions relating to gaming machine categories, numbers or methods of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

4.16 The Gambling Commission advises in its Guidance for Local Authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling and also in terms of preventing premises becoming a source of crime. It is noted though that the Gambling Act 2005 has amended the Security Industry Act and that door supervisors at casinos or bingo premises cannot be licensed by the Security Industry Authority. Where it is determined that door supervisors are required, the Licensing Authority will consult with the Police.

5.0 Local Risk Assessments and Social Responsibility

5.1 The Gambling Commission's Licence Conditions and Codes of Practice (LCCP) which were revised and published in February 2015, formalise the need for operators to consider local risks.

5.2 This comes into force on 6th April 2016 and requires all premises licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to reduce those risks. They must take into account any relevant matters identified in the licensing authority's statement of policy.

5.3 A local risk assessment must be undertaken when applying for;

- A new premises licence

- When applying for a variation of a premises licence
- To take account of any local significant changes in the area
- When there are significant changes within the premises which may affect the current risk assessment

5.4 The Gambling Commissions new Social Responsibility provision requires licensees to share their risk assessment with Licensing Authorities when applying for a new premises licence or a variation to an existing licensed premises. If there are any concerns the Licensing Authority may request that the licensee share a copy of their own risk assessment which will set out the measures the licensee has in place to address specific concerns.

6.0 Location

6.1 The licensing authority cannot consider demand issues with regard to location of premises but can consider the terms of the licensing objectives. The licensing authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

6.2 Each application will be decided on its own merit, with the onus upon the applicant to show how potential concerns can be overcome.

7.0 Planning legislation for Betting Offices

7.1 On the 15th April 2015, the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 and the Town and Country Planning (General Permitted Development) (England) Order 2015 came into force. All new betting offices now require specific planning permission and have been taken out of general 'A2' financial and professional service use class. Under previous legislation a betting office fell in the same category as an estate agent/bank/restaurant etc. and did not require a change of use application.

8.0 Provisional Statement

8.1 An application for a provisional statement shall include such plans and other information in relation to the construction, alteration or acquisition as may be prescribed.

8.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the Authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which, in the Authority's opinion, reflects a change in the operator's circumstances.

8.3 Chesterfield Borough Council will not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building legislation.

9.0 Reviews

9.1 A review of a premises licence may be made by interested parties or responsible authorities, however, it is for the Licensing Authority to decide whether the review is to be carried out.

9.2 Chesterfield Borough Council will consider if it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives;
- in accordance with the Authority's Statement of Principles; and
- whether the request for a review is frivolous or vexatious.

9.3 The Licensing Authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

10.0 Exempt Gaming and Charity Fundraising

10.1 The Gambling Act 2005 allow the following activities and although they do not require permission under Exempt Gaming, there are information sheets available on the Gambling Commission website which outline relevant restrictions.

- Poker in Pubs and Clubs
- Race Nights
- Casino Nights
- Bingo

11.0 General Statement

Chesterfield Borough Council recognises the variety of premises which will require a licence or permit.

In carrying out its licensing functions Chesterfield Borough Council will have regard to any guidance issued by the Gambling Commission.

When considering applications and taking enforcement action the Licensing Authority will have regard to the provisions of the Human Rights Act and in particular;

- Article 1, Protocol 1 – peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest
- Article 6 – right to a fair hearing
- Article 8 – respect for private and family life. In particular, removal or restriction of a licence may affect a person's private life
- Article 10 – right to freedom of expression

CONTACT INFORMATION

If you have any queries regarding any licensing matter contact:

Licensing Section
Environment Services
Chesterfield Borough Council
Customer Service Centre
85 New Square
Chesterfield
S40 1AH

Tel: 01246 345230

Fax: 01246 345235

E-mail: licensing@chesterfield.gov.uk

Website: www.chesterfield.gov.uk

Appendix 1

ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS

The Powers and duties of the Council in respect of licensing may be carried out by the Licensing Committee, by a Sub-Committee or by the Head of Environment (or an officer duly delegated by the Head of Environment). In the interests of efficiency and cost effectiveness the Council will delegate routine matters to officer level.

Matter to be dealt with	Full Council	Licensing Committee or Licensing Sub-Committee	Officer
Final approval of 3 year Statement of Principles.	X		
Policy not to permit Casinos.	X		
Fee setting when appropriate.			X
Applications for Premises Licences		Where representations have been received and not withdrawn.	Where no representations received / representations have been withdrawn.
Application for a variation to a licence.		Where representations have been received and not withdrawn.	Where no representations received / representations have been withdrawn.
Application for a transfer of a licence.		Where representations have been received from the Commission.	Where no representations have been received from the Commission.
Application for a provisional statement.		Where representations have been received and not withdrawn.	Where no representations received / representations have been withdrawn.
Review of a premises licence.		X	

Matter to be dealt with	Full Council	Sub-Committee of Licensing Committee	Officer
Application for club gaming/club machine permits.		Where objections have been made and not withdrawn.	Where no objections have been made/ objections have been withdrawn.
Cancellation of club gaming/club machine permits		X	
Application for other permits.			X
Cancellation of licensed premises gaming machine permits.			X
Consideration of temporary use notice.			X
Decision to give a counter notice to a temporary use notice		X	
Decision on whether a representation is irrelevant, or falls within the categories defined within section 198 of the Act (frivolous, vexatious etc)			X

Appendix 2

Categories of Gaming Machines

A gaming machine is defined as a machine which is designed or adapted for use by individuals to gamble (whether or not it can also be used for other purposes). Under the Gambling Act 2005 gaming machines fall into categories depending on limits on the stake laid down and prizes available.

Categories A, B and C machines are adult only gaming machines.

Category D machines have no age restrictions.

Gaming Machine Category	Maximum Stake (£)	Maximum Prize (£)
A	Unlimited	Unlimited
B1	£5	£10,000
B2	£100 (in multiples of £10)	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D – non money prize machine (not crane grab)	30p	£8 (value of non-money prize)
D – non money prize (crane grab)	£1	£50 (value of non-money prize)
D – money prize	10p	£5
D- combined money & non-money prize (coin pusher or penny falls)	20p	£20 (of which no more than £10 may be a money prize)
D – combined money & non-money prize (other than coin pusher or penny falls)	10p	£8 (of which no more than £5 may be a money prize)

FOR PUBLICATION

Chesterfield Borough Council's Workforce Strategy 2015-19 (B350)

MEETING:	COUNCIL
DATE:	27 APRIL 2016
REPORT BY:	HR MANAGER- ARVATO PUBLIC SECTOR SERVICES
WARD:	ALL
COMMUNITY FORUM:	ALL
KEY DECISION REFERENCE (IF APPLICABLE):	598

FOR PUBLICATION

1.0 **PURPOSE OF REPORT**

- 1.1 At Chesterfield Borough Council we have ambitious plans in place for the delivery of high quality services to our residents, and we recognise that these plans can only be achieved if we develop and nurture a diverse, committed, motivated and highly skilled workforce.
- 1.2 The purpose of this report is for members to approve the Council's Workforce Strategy for the next four years and to consider recommendations related to reassessment against the Investors in People Standard.
- 1.3 The report also seeks agreement to the proposal to continue with the Investors in People review scheduled for June 2016 at a cost of £350 which would provide a further 18 months accreditation, with a further review of the continued assessment process based on cost during that time.

2.0 RECOMMENDATIONS

2.1 That full Council approve and adopt the Workforce Strategy.

3.0 BACKGROUND

3.1 The Council's Workforce Strategy was initially approved by Cabinet on 5 October 2010. It identified a range of projects and actions required to support achievement of the Councils Corporate Plan. The workforce implications of each of these projects was assessed and built into the Workforce Plan.

3.2 Achievements against the Workforce Strategy 2012-15 include:

- Development of a corporate development programme supporting all staff and managers with changes being made
- Publication of a competency framework
- A full review of the Employee Personal Development process
- Formation of Project Academy which led to an award for **“Best Employee & Equality Initiative”**
- Bronze accreditation of the Investors in People standard
- Introduction of a ‘Lean’ culture within the organisation
- As part of the “Skills Pledge”, delivery of a functional skills programme
- A change management programme rolled out to all employees called “Change and Art of Being Your Best”
- As part of the developing talent programme several accredited programmes were delivered leading to the ILM (Institute in Leadership) at levels 2/3 and 5
- An award from Leicester College for **“Awards to Industry 2012”** for commitment to learning & development
- Provision of support to all staff by offering Stress Awareness training which was aimed at employee and managers at all levels
- Development of a mentoring programme to support and develop employees
- Improved employee ICT skills by offering the Microsoft Office suite of training
- Delivery of corporate related training and supported individuals with training for job related progression as identified through the Employee Personal Development (EPD) process.

3.3 The draft Workforce Strategy was considered by the Joint Cabinet and Employment and General Committee at its meeting on 5 April, 2016, where it resolved that the draft Workforce Strategy be recommended to Full Council for approval.

4.0 **KEY PRIORITIES IDENTIFIED WITHIN THE STRATEGY**

4.1 In order to support achievement of the 2015-2019 Corporate Plan, the Council's Workforce Strategy (see appendix 1) was rewritten with priorities being taken from the employee survey, the council plan, Investors in People and input from the workforce strategy group. These are:

- **Pay and reward** – we need a pay and reward structure that makes CBC an employer of choice, allowing us to attract, retain, motivate and develop staff with the skills we need. The structure also needs to be fair and affordable in light of the increased financial pressures that the council faces.
- **Leadership, skills and capabilities** – we need a workforce that has the right skills and capabilities to deliver our Council Plan priorities. This means continuing to invest in the development of all staff and elected members, to enhance existing skills and develop further in areas such as commercial awareness and partnership working. We will need to be able to use the skills our staff have more flexibly, to improve our resilience and enable us to respond quickly to change. And we need our leaders to model the one council, one team value throughout the organisation.
- **Talent management** – we need to attract, nurture and grow talent in order that we continue to have people available to fill the roles we need. We will develop talent both through specific programmes to attract skills into the organisation, and by identifying and growing existing staff with potential. We will need business plans for all service areas to be clear about their future skills needs and how they will develop talent to meet those needs, including clear succession planning.
- **Employee engagement** – we need to maximise the numerous benefits of having engaged employees and reflect this need in our developing operating model for the council. Our managers play a critical part in engaging with their teams, improving the flow of information and feedback through the council and empowering staff to improve their services.
- **Health and wellbeing** – we want to improve the health and wellbeing of all staff, recognising both our duty of care and the

benefits of a healthy workforce. We want to ensure our staff have access to support when required and promote and incentivise activities to improve physical and mental health

- 4.2 The strategy has been prepared as a document to focus and guide activities with a more detailed action plan that will be regularly updated. Where necessary, through the workforce strategy group in place within the GPGS governance, there will be further prioritisation of actions to fit available capacity.
- 4.3 In order for its priorities to become embedded and meaningful within the wider organisation, a one-two page summary with endorsement from the Cabinet member, Leader and Chief Executive will be prepared and used as part of the wider communication to support the GPGS transformation programme. This will also be supported by further refinement and development of the intranet pages that are already in place to support managers, who will play a critical role in delivery of this strategy.
- 4.4 Key metrics relating to staff and management engagement (using annual staff survey scores and EPD data), workforce profile (including absence and turnover) and learning and development will be pulled into the developing performance management framework to allow regular monitoring of those headline measures during the lifetime of the strategy.

INVESTORS IN PEOPLE

- 4.5 Whilst the Investors in People standard provides a benchmark for organisations against which to assess people management activities and is fully supported, the ongoing costs versus perceived benefits can be prohibitive.
- 4.6 With the launch of the next generation standard of the liP Framework come new challenges for organisations adapting to the new model and the costs associated with ongoing assessment.
- 4.7 The new standard provides for assessment against 9 key areas under the headings of Leading, Supporting and Improving. The new performance model “creates a roadmap for continuous improvement” against the Standards framework. Progression through the model is achieved through four stages from ‘developed’ to ‘high performing’.
- 4.8 Whilst formal assessment against the framework is useful, the same results could potentially be achieved by embedding the practices and

outcomes into the workforce strategy and self-assessing against the standard, setting targets for progression over the life of the strategy. The advantage of this would be a more structured approach and key tangible success measures. This would require further debate and discussion but provides a potential alternative solution at a time of budgetary constraint.

5.0 CONSULTATION

5.1 Union involved in workforce strategy working group and workforce strategy has been to GPGS Board and Scrutiny Committee. The plan was presented to CMT in January 2016 for comments and suggestions have since been included in the strategy.

6.0 MONITORING AND NEXT STEPS

6.1 A draft action plan has been produced which sets out the actions that need to be implemented in response to the key issues identified in the strategy. Once the strategy has been agreed, the timescales in the action plan will be reviewed and more detail included for implementation and review.

6.2 It is essential that the constitution of the workforce strategy group is reviewed on agreement of the strategy to ensure that the action plan can be embedded and implemented across the council.

6.3 Once agreed, the strategy will be reviewed on a quarterly basis with an annual report to Cabinet setting out progress against the Workforce Strategy and Action Plan.

7.0 FINANCIAL CONSIDERATIONS

7.1 There are no additional financial implications involved in any of the standard organisational development activities. There will however be indirect costs associated with consultation and involvement arising from the action plan.

7.2 If new programmes are to be developed for aspiring future managers and high achievers, then further budgets will be required for this. At this stage, it is not known what the cost will be for these programmes.

7.3 Following implementation of the strategy, should the decision be made to go ahead with changes to the pay agreement (e.g. changes to incremental rises, review of pay agreement) a further report would be submitted with full costings.

7.4 If the decision is made not to go ahead with the liP review in June 2016 at a cost of £350 there would still be a financial implication for the council in having to remove the liP logo from all stationery and communications which could outweigh the cost of the reassessment.

8.0 EQUALITIES IMPLICATIONS

8.1 The Workforce Strategy aims to address the equalities profile of the Council and identifies the key issues facing the Council in relation to its workforce. As the action is implemented, further EIAs will be undertaken as necessary to identify any equality issues within each major project.

The full impact assessment previously carried out has been reviewed and is still relevant and is attached at Appendix 2.

9.0 RISK MANAGEMENT

Risk	Likelihood (H/M/L)	Impact (H/M/L)	Mitigating action
Failure to achieve targets/outcomes in relation to the workforce e.g. staff survey scores, recruitment and development.	M	M	Regular monitoring by officers and members Remedial actions (including re-allocation of funding) where achievement is under threat
Failure to complete projects on time/ budget/ to quality standards.	M	M	Monitoring by HR Manager and Workforce Strategy Group. Where necessary, prioritise key actions and reduce scope of plan in order that critical success factors are still addressed

10.0 RECOMMENDATION

10.1 That full Council approve and adopt the Workforce Strategy.

11.0 REASONS FOR RECOMMENDATIONS

11.1 To provide the Council with a clear strategic framework within which decisions can be made about the allocation of its workforce.

11.2 To ensure that the Council's performance in relation to its workforce strategy can be managed and monitored effectively.

KATE HARLEY - HR MANAGER

Further information on this matter can be obtained from Kate Harley on
(01246 345366)

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WORKFORCE STRATEGY

2015 – 2019 DRAFT

The Workforce Strategy 2015 – 2019

Introduction

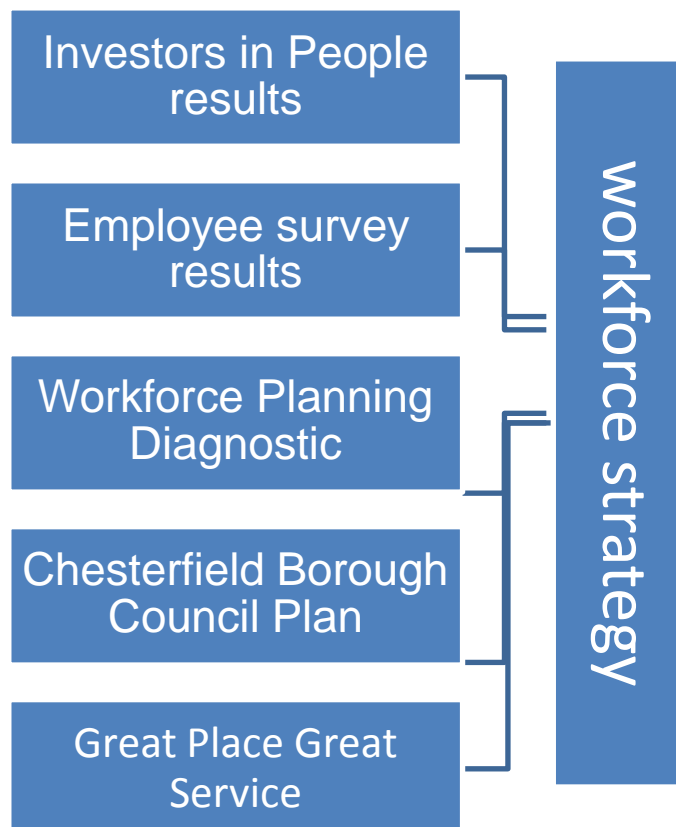
Chesterfield Borough Council has ambitious plans in place for the delivery of high quality services to its residents and businesses, and recognises that these plans can only be achieved if it develops and nurtures a diverse, committed, motivated and highly skilled workforce.

This document sets out the councils Workforce Strategy for the period 2015 – 2019 and builds on the successful outcomes of the Workforce Strategy 2012 – 15.

Key achievements during 2012-15 were:

- Development of a corporate development programme supporting all staff and managers with changes being made
- Publication of a competency framework
- A full review of the Employee Personal Development process
- Formation of Project Academy which led to an award for **“Best Employee & Equality Initiative”**
- Bronze accreditation of the Investors in People standard
- Introduction of a ‘Lean’ culture within the organisation
- As part of the “Skills Pledge”, delivery of a functional skills programme
- A change management programme rolled out to all employees called “Change and Art of Being Your Best”
- As part of the developing talent programme several accredited programmes were delivered leading to the ILM (Institute in Leadership) at levels 2/3 and 5
- An award from Leicester College for **“Awards to Industry 2012”** for commitment to learning & development
- Provision of support to all staff by offering Stress Awareness training which was aimed at employee and managers at all levels
- Development of a mentoring programme to support and develop employees
- Improved employee ICT skills by offering the Microsoft Office suite of training
- Delivery of corporate related training and supported individuals with training for job related progression as identified through the Employee Personal Development (EPD) process.

Clearly this progress needs to continue and this updated strategy seeks to reflect the councils vision and values for the next 5 years and incorporates the Council Plan, the transformation programme 'Great Place Great Service' goals, key actions from the Investors in People Assessment and Employee Survey Engagement Plan and workforce profiles to ensure our people management practices are aligned to the delivery of the corporate aims and values.



The strategy has been developed utilising 'hard' and 'soft' metrics and further work is needed to develop sources of intelligence to inform the ongoing action term plan. It is critical to long-term sustainable performance that short and long-term priorities are identified and balanced alongside each other in the action plan.

To achieve the councils' long-term ambitions, further analytical work is needed to identify critical skills gaps and solutions identified to meet these.

Purpose and context

The council has in place a corporate planning framework to deliver its strategic priorities. The framework has a hierarchy of plans that ensure the priorities are cascaded down the organisation.

Chesterfield Borough Council has set out its vision for 2015-2019 which is:

Putting our communities first

The four year (2015-19) Council Plan sets a number of key priorities to deliver that vision:

- 1. To make Chesterfield a thriving borough.** To deliver this we will focus on four objectives:
 - a. To make sure local people benefit from growth in our borough
 - b. To continue delivering regeneration projects to make our borough a better place
 - c. To develop our great town centre
 - d. To improve access to technology that meets the needs of our residents, businesses and visitors

- 2. To improve the quality of life for local people.** To deliver this we will focus on four objectives:
 - a. To increase the supply and quality of housing to meet current and future needs
 - b. To improve open space in the borough for which we are responsible
 - c. To improve the health and wellbeing of our communities
 - d. To reduce inequality and to provide support for vulnerable members of our communities

- 3. To provide value for money services.** To do this we will focus on a single objective:
 - a. To become financially self-sufficient by 2020, so we can continue to deliver the services our communities need.

As a council we are here to serve and support communities. Those communities include our residents and tenants, our businesses, our visitors, our students and our voluntary groups. It is these communities that make Chesterfield Borough a great

place to live, work and visit. And it is these communities that we seek to put first as a council in all that we do.

In keeping with the One Council – One Team value, we will establish a more consistent approach to the development of the organisation.

At a time of limited resources, facing significant financial challenges and with an ambitious transformation programme for improvements underway, we need to be very focused on what we intend to achieve, how we intend to go about it and how we will measure our progress.

We therefore need a strategy to clearly articulate our objectives in relation to our people (existing and future) and identify the actions required to deliver the key objectives set out in the Council's Council Plan and vision and supporting service plans.

The strategy also needs to reflect the council values, which underpin not only the aspirations and actions in this strategy, but also form the essence of the relationship between the Council and its employees. These values are:

- **Customer focused** – delivering great customer service, meeting customer needs.
- **Can do** – striving to make a difference by adopting a positive attitude
- **One Council, one team** – proud of what we do, working together for the great and good.
- **Honesty and respect** – embracing diversity and treating everyone fairly.

We believe this provides a solid framework to develop the organisation and identify actions under these headings for our annual programmes of work.

Whilst the Council plan will provide some of the underlying initiatives required for the implementation of the Workforce Strategy, much of the activity to realise our objectives will be delivered not at the corporate level but by individual services. This will ensure that our activity is tailored to meet the needs of our customers and allows us to work effectively with partners.

Each of the key actions identified within our strategy will have its own project plan for delivery.

Council Staff Survey

Understanding our workforce, their needs and their views on working for Chesterfield Borough Council is essential to positioning us to deliver the highest quality service to the people of Chesterfield.

One of the methods we use to engage our employees and to assess their views is the staff survey, which is carried out on an annual basis to assess the levels of employee engagement and give employees the opportunity to provide feedback.

The last Council survey was conducted in 2015 and showed an employee engagement score of 59%.

The Councils Survey measures the factors that are directly linked to employee engagement. There are 9 factors, About your Job, About your Work Environment, My Manager and Team, Leadership, Learning & Development, Councils Objectives and Purpose, Communication, Equality & Diversity and Great Place Great Service .

The survey results have indicated specific areas for the Workforce Strategy plan, particularly in relation to the review of HR policies, the re-launch of the Employee Rewards Scheme and a review of the EPD and Competency Framework

The latest survey has enabled us to understand the knowledge that staff have about the key corporate issues, and provides information on the areas for development and improvement. This enables the Council to realise its full potential as an organisation.

Investors in People

The Council was originally recognised as an Investor in People in 2004, and was reassessed against the standard in June 2015, achieving recognition at Bronze level. The feedback highlighted the following areas to be particular strengths for the Council:

- The clear vision for the future of the Council
- The high financial investment in staff development
- The continual focus on improving methods of communicating with staff
- The ongoing commitment to staff to encourage participation in decision making, taking ownership and responsibility for decisions that affect their own performance and that of their teams.
- The growing culture of continuous improvement – continuing to learn and improve the approach to managing and developing people in order to improve organisational performance.

During the review the Council was found to be meeting 65 evidence requirements and as a result recognised at the Bronze level of the standard.

The assessment also highlighted areas for development under the following themes:

- Leading & inspiring people
- Living the organisations values

- Empowering & involving people
- Managing performance
- Recognising and rewarding high performance
- Structuring work
- Building capacity
- Delivering continuous improvement
- Creating sustainable success

These are key themes against the standard and have been reflected in the workforce strategy and the action plan that supports it, including specific recommendations made following the assessment.

The next review of IIP progress will take place in June 2016 and a re-assessment against the new VI generation standard will take place in December 2016.

Current Workforce Profile

The profile set out below reflects the staffing position as at January 2015 and this section covers not only the composition of the workforce under a number of headings, but also on equality and diversity issues generally in the council and borough.

Workforce

Clearly the demographics of the borough will have a bearing on our workforce both now and in the future. As at January 2015 the total workforce numbered 904 employees which equates to a Full Time Equivalent staffing of 696.01. The workforce split based on **gender** is:-

Female	44.9%	Full time	28.4%	Part time	69.1%
Male	55.1%	Full time	71.6%	Part time	30.1%

This highlights that the higher percentage of employees are male and work full time whilst comparatively nearly 70% of the part time workforce are women.

Pay scale distributions are shown below by gender:

Pay scale	% at this scale that are male	% at this scale that are female	% of workforce at this scale
Scale 1 (starts £12,145)	20%	80%	4.9%
Scale 2 (starts at £12,787)	34.7%	65.3%	5.3%
Scale 3 (starts at £13,874)	38.9%	61.1%	9.7%
Scale 4 (starts at £15,725)	46.6%	53.4%	16.0%
Scale 5 (starts at £17,161)	49.3%	50.7%	14.9%
Scale 6 (starts at £19,621)	32.6%	67.4%	9.3%
Scale 7 (starts at £22,221)	63.2%	36.8%	7.3%
Scale 8 (starts at £25,472)	56.1%	43.9%	4.4%
Scale 9 (starts at £28,636)	71.4%	28.6%	4.5%
Scale 10 (starts at £30,851)	44.4%	55.6%	1.0

Scale 11 (starts at £34,549)	63.2%	36.8%	2.0%
Scale 12 (starts at £38,042)	46.7%	53.8%	1.6%
Scale 13 and above (starts at £41,616)	86.2%	13.8%	3.1%

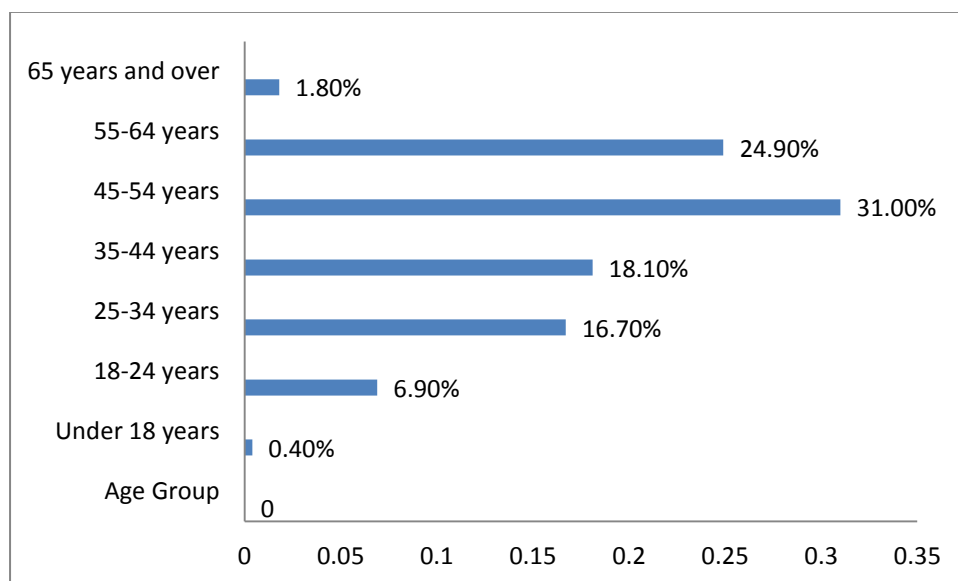
The figures above demonstrate that there is a gender imbalance at specific grades with more women in the lower grades and more men in senior management posts.

Figures for **Disability** are reliant on individuals being prepared to identify themselves as having a disability and therefore are not a reliable indicator however the figures at January 2015 show that 7.4% of the workforce identifies themselves as having a disability.

In terms of **Ethnicity** 94% of the workforce are White British, 3.3% are unknown leaving a small percentage making up other ethnic groups.

As far as the **age** of the workforce at CBC is concerned the figures below demonstrate that 58% is over 45 years of age and a quarter (27%) is 55 and over.

Age Group	Percentage of employees
Under 18 years	0.4%
18-24 years	6.9%
25-34 years	16.7%
35-44 years	18.1%
45-54 years	31.0%
55-64 years	24.9%
65 years and over	1.8%



Clearly this presents some challenges for the council in recruiting young people and with succession planning. Recruiting to certain roles such as planning, legal and

procurement, has become more difficult given the economic climate and the need for wage restraint.

Turnover rates

During 2014 131 people left the council which gives a turnover figure of 14.94%.

The figures are potentially distorted as staff can have several posts with the authority so the number of leavers may include one individual leaving several posts.

The main categories of leavers were end of contract (80), resignations (79), voluntary redundancy (11), compulsory redundancy (5), early retirement (2), normal retirement (32), ill-health retirement/incapacity (5), dismissal (1). Unfortunately, no analysis of exit interviews is available currently to explain these figures but this is being reviewed and exit interviews will be held and analysed in future.

Workforce Strategy for Chesterfield

Building on the success of previous years this strategy articulates the priorities for action to achieve the council's ambitions.

The priorities identified under each heading are derived from the employee survey, liP assessment, council plan and workforce strategy group priorities. The action plan to support the strategy is at appendix A and details the priorities under the themes below with a timeframe for action (short, medium or long term).

Pay and reward

We need a pay and reward structure that makes CBC an employer of choice, allowing us to attract, retain, motivate and develop staff with the skills we need. The structure also needs to be fair and affordable in light of the increased financial pressures that the council faces.

The council has key challenges moving forward not only to become financially self-sufficient and meet budgetary targets but to implement the living wage and changes to the way holiday pay is calculated, both leading to an increased wage bill at a time of reduced funding from central government.

Implementing the living wage will ensure that those employees (mainly women) at the lowest end of the pay scales will receive a fair wage and have wider community benefits, giving staff more money to spend in the local economy.

To implement these changes and continue to retain a competitive advantage as an employer of choice for local people requires a review of the pay and reward structure to ensure we attract and retain the right people for the business. We need to ensure we reward our staff to deliver their best and feel proud to work for us.

As part of that review the current job evaluation scheme will be looked at to ensure it promotes a responsive and agile workforce, able to meet the demands of our customers, residents and businesses.

Leadership, skills and capabilities

We need a workforce that has the right skills and capabilities to deliver our Council Plan priorities. This means continuing to invest in the development of all staff and elected members, to enhance existing skills and develop further in areas such as commercial awareness and partnership working. We will need to be able to use the skills our staff have more flexibly, to improve our resilience and enable us to respond quickly to change. And we need our leaders to model the one council, one team value throughout the organisation.

The council has given significant investment and focus to leadership development, for example running a corporate development programme during 2014. As it continues to support leadership and management skills, it is important that there is greater clarity about the benefits and return on this investment.

The aim of this priority is to ensure that the organisation has effective leadership at all levels and that senior leaders are visible and consistent in leading the workforce to deliver on priorities. The corporate management team structure has recently been reviewed and changes implemented to ensure that it supports this objective and builds on the changes made to the Senior Leadership Team in 2014.

The Council maintains a strong commitment to learning & development and continuous professional development, this was demonstrated by its reaccreditation and achievement as an Investors in People “Bronze” employer in June 2015.

The council’s approach to the identification and support of learning & development needs for staff is through the Employee Personal Development review process. The council works in partnership with colleges, training providers and other councils to ensure a cost effective delivery of the learning and development requirements identified.

There will be an on-going need for professional and technical skill development as well as service specific and corporate training. To ensure we get the best value for money and meet legislative requirements, we will review the corporate training needed and the best vehicle for delivery and explore options available. The key core skills needed for success of the council plan have been identified as commercial awareness, risk management and evidence based decision making, working in partnership and collaboration, whilst an emphasis on customer service will also be maintained and developed.

An audit tool will be developed that managers and HR can utilise to frame the discussion around workforce profiles, succession planning, talent management and

skills development. HR/Learning & Development will facilitate an annual discussion using this method to support the annual business planning process. To ensure our employees have the best opportunity to develop their careers with us and provide the best service possible, we will ensure functional skills are developed and career progression supported.

Multi-skilling of the workforce especially in smaller teams, is critical to realising efficiencies and maintaining service levels and managers will be encouraged to develop staff to that aim, working with other teams to exploit opportunities for staff sharing where possible.

To support managers and staff and provide clear, easily accessible information, all employee policies will be reviewed and published on the new intranet. This will ensure standards are publicised and managers supported to manage in a consistent manner.

Talent management

We need to attract, nurture and grow talent in order that we continue to have people available to fill the roles we need. We will develop talent both through specific programmes to attract skills into the organisation, and by identifying and growing existing staff with potential. We will need business plans for all service areas to be clear about their future skills needs and how they will develop talent to meet those needs, including clear succession planning.

Chesterfield Borough Council has to compete effectively in the market place to recruit and retain staff, as a result the workforce strategy therefore needs to reflect a more strategic approach in workforce planning to support the recruitment and retention of its employees in this competitive environment. Exit interviews will be analysed to understand the reasons employees leave the council and the data utilised to inform future programmes of action.

The Council have already started this process by looking at different models of service delivery such as working across different services, partnering, and shared service solutions, to give value for money. This work will feed into a new Target Operating Model for the council and the workforce strategy will be a key part of supporting the skills of staff to deliver within that new model.

Increased awareness and a more pro-active approach will be taken with succession planning and needs to be developed across the Council to ensure longer term planning. Succession plans will enable the council to identify skills gaps in critical areas where existing recruitment methods are unsuccessful, particularly planning and law.

Taking this further the council will develop a talent management programme to identify and develop potential across all areas of the business to ensure it is prepared for the future challenges.

The Council has a long tradition of using trainee schemes to attract young employees into employment and annually recruit apprentices to work in the craft area's of the Council.

The profile of our workforce identifies that the number of employees aged between 16-25 years is below the national average and stands at 7.9%.

Recent government proposals on the apprenticeship levy and apprenticeship targets for public sector bodies highlight the importance placed on the council to lead by example. The proposals include targets for achievement each year with the aim nationally that 3 million apprenticeships are in place by 2020 with 16.2% being delivered by the public sector. What this means for the council is potentially 23 new apprenticeships per year based on current headcount.

The development of apprenticeships is one of the Council's priorities "To make sure that local people benefit from the growth in Chesterfield Borough"

The Workforce Strategy action plan sets out how we can provide employment for under 25s, as well as these actions we will recruit, retain and develop our workforce whilst addressing equality & diversity issues. The vacancy control process will be used to ensure that a diverse range of recruitment avenues are explored and that Apprentices, Trainees, Graduates and Interns are promoted at relevant times.

Employee engagement

We need to maximise the numerous benefits of having engaged employees and reflect this need in our developing operating model for the council. Our managers need to play a critical part in engaging with their teams, improving the flow of information and feedback through the council and empowering staff to improve their services.

How employees feel about working for the council is a key priority and annually explored through the employee survey and through liP assessment. Establishing what makes the council a good place to work is essential to understanding employee engagement. Communication is recognised as critical to this and the council will continue to explore ways of engaging and valuing the contribution staff make to the success of the council.

Manager's will work with their teams on the results of the staff survey and will develop action plans to tackle issues that are important to the team. Managers at all levels will have regular meetings with their teams to ensure that staff have every opportunity to be involved in the delivery of services. The results of the staff survey

and discussions at team meetings will also inform the annual service planning activity.

Recognising that new ways of working in flexible ways give rise to engagement challenges, the council will review how it manages employees who work remotely or from home and improve the dialogue between managers and staff. The visibility of leaders and members will be explored and existing open door meetings and back to the floor activity will continue.

Membership of working groups will be reviewed and opportunities will be given to staff at all grades to become involved, utilising task and finish groups to ensure staff can add value.

Health and wellbeing

We want to improve the health and wellbeing of all staff, recognising both our duty of care and the benefits of a healthy workforce. We want to ensure staff have access to support where required and promote and incentivise activities to improve physical and mental health.

The health and wellbeing of employees is integral to the workforce strategy and the council has a duty of care to ensure employees are working in safe environments. The provision of an Occupational Health service underpins the support provided to staff by managers when tackling health issues. Referrals to counselling and physiotherapy are also part of this provision all aimed at preventing ill health of employees.

Recognising that mental health issues are a key challenge for the council, managers have received training on the use of the stress risk assessment tool and training to enable managers to deal with mental health absence will be provided. Greater emphasis will be placed on the preventative aspects of recognising stress and responding appropriately to issues to help employees remain well.

The council has committed to the Time to Change mental health awareness campaign (which was the focus of National Health & Safety Week in October 2015). A cross-council health group will take forward the mental health awareness programme and oversee the Healthy Workplace initiative, which now has a detailed plan for a variety of changes to the workplace and activities to encourage employees to adopt healthier lifestyles.

Summary

This workforce strategy sets out the context within which the council operates and identifies key factors that will influence the workforce issues in the future. Although there is a general acknowledgement that it is not possible to give absolute certainty to the size and shape of the council in the next few years there are clear

requirements for skills and flexibilities to enable appropriate and timely response to change.

Equality Impact Assessment (EIA)

An (EIA) review has been completed on the Workforce Strategy in line with the Councils framework. It will be reviewed periodically and consideration given to any changes required to the strategy as a result.

Consultation and Review

The Workforce Strategy and Action Plan will be reviewed on a regular basis and updated to reflect changes in the Council's business needs and priorities and changes within Local Government.

A report will be produced on an annual basis along with a reviewed action plan.

WORKFORCE PLAN 2015-2019

All Actions in the Workforce Plan link directly to the corporate priorities, Employee Engagement Plan and Investors in People Action Plan

Strategic priority	Actions	Outcomes(cross cutting)	Priority			Lead	Success Measure
			Short term 2016	Medium term 2017	Long term 2018-19		
Pay and reward	Review pay structure to include Incentives (bonus/Performance Pay)	<ul style="list-style-type: none"> • Retain competitive advantage as employer • Improve employee engagement • Improve performance and efficiency • Streamlined, efficient and effective recruitment and retention • Improve wellbeing of staff 		√		HR/HB/TUC	New pay structure in place that is fit for purpose and affordable
	Implement a living wage		√			HR	Voluntary living wage implemented in advance of National Living Wage
	Harmonise terms and conditions			√		HR/SLT/TUC/Managers	
	Review Job evaluation scheme and benchmark externally.			√		HR	Fit for purpose JE scheme that reflects the business and is streamlined and efficient
	Review job			√		HR/TUC/All	All job

	descriptions to ensure they are fit for purpose and 'outcome focused'	<ul style="list-style-type: none"> • Improve economic position of lowest paid groups of employees • Improve wider economic position of Chesterfield 				Managers Task & Finish groups	descriptions are outcome focused and promote multi-skilled employees
	Promote benefits of working for CBC by publicising employee benefits on the intranet		√			HR/All Managers	Improved ability to attract high quality candidates especially into hard to recruit roles
	Design recruitment adverts to attract talent based on 'total offer'		√			HR/All Managers	
	Implement employee awards scheme		√			Michael Rich/James Drury	Employees feel valued and rewarded as evidenced by x% increase in staff survey results
	Review recruitment and selection process to ensure consistency across the business and review internal re-deployment procedures			√		HR/All Managers	Staff feel that recruitment decisions are fair and equitable and redeployment opportunities managed fairly
Leadership,			√			HR/SLT	New CMT

skills and capabilities	Review CMT structure following loss of Head of Service roles in 2014	<ul style="list-style-type: none"> Greater clarity of roles and accountabilities, improved empowerment and engagement at management levels 					established and in place by end 2016
	Undertake skills audit and gap analysis of future needs, identifying critical vulnerabilities	<ul style="list-style-type: none"> Improve organisational capability and flexibility 	√			HR/L&D/All Managers	Succession plans in place in each service area informing workforce plans and recruitment needs by the end of 2016.
	Develop performance management framework	<ul style="list-style-type: none"> Retain liP accreditation Improve staff retention 	√			HR/L&D	Monitor and evaluate corporate wide performance
	Develop 'skills pathways' to develop from within (e.g. career grades)	<ul style="list-style-type: none"> Improve employee engagement Greater clarity, consistency and accountability around employee policies and procedures 		√		HR/LD	Increased ability to recruit/retain staff at all levels
	Promote functional skills across the council to enable career progression and improve service outcomes	<ul style="list-style-type: none"> Efficient and prioritised use of scarce resources Gain feedback from 		√		L&D - Ongoing	Improved service efficiency, better communication through maximising staff potential,
	Review current and			√		HR/L&D/All	Align learning

	future skills by service area to develop service specific and corporate skill set (competency framework)	employees				managers	with the business by identifying short and long term organisational capability requirements
	Implement the EPD process		√			HR/L&D/Managers	100% returns annually and staff satisfaction improved as measured by employee survey
	Implement competency framework as basis for recruitment and performance management				√	HR/Managers	Competency framework established and right people in roles
	Coach and develop managers to provide 'quality' performance discussions and to be able to challenge behaviours that are not consistent with the value		√			HR/L&D/Managers	Poor performance tackled through appropriate channel i.e. capability process
	Ensure all training		√			L & D	Full and

	recorded on Resourcelink				Managers/ Support staff	complete training records on Resourcelink
	Review corporate and service specific training programmes and budgets		√		HR/L&D/James Drury	Online training delivery sourced, developed and implemented to provide cost effective training and induction.
	Review method of delivery and explore corporate ICT solution for online learning	√	√		HR/L&D/ H&S	
	Review delegated budgets and corporate needs		√		James Drury	
	Review training evaluation model		√		L&D/ Managers	Implement a corporate Evaluation framework to evaluate the impact on training and ROI
	Develop 2-5 year training plan based on skills analysis, EPD's and performance management,		√		HR/L&D	Targeted training plan that meets the corporate needs and , addresses any

	incorporating multi-skilling of teams.						weaknesses
	Review and evaluate leadership development at all levels			√		SLT/HR/L&D	Evaluation of learning to identify what Behaviours or skills that has been changed following the training
	Introduce 360 degree appraisals				√	HR/L&D/SLT/Managers	Reinforce link between competencies, behaviours and values required to do the job
	Review employee policies and procedures to ensure they are streamlined and easily accessible to staff and managers		√			HR-Ongoing	All policies up to date and easily accessible and understood. Policies and toolkits available to all
	Utilise intranet to publish policies, procedures and 'how to guides' to ensure managers supported to deliver consistently		√			HR/Communications	
Talent management	Implement apprenticeship			√		HR/L&D/Working group	Targets set by government

	programme using levy set to meet yearly targets for numbers of apprentices as set by government with clear career pathways	<ul style="list-style-type: none"> • Increase the number of under 25's employed by CBC and set good example for other employers 					met and increased employment of under 25's in CBC and Chesterfield more broadly
	Review work experience programme to be more focused on increasing CBC profile as an 'employer of choice'	<ul style="list-style-type: none"> • Improve reputation as an 'employer of choice' • Decrease 'time to recruit' in specialist roles and build capability for future 		√		HR/L&D/Working group	Policy reviewed and work experience welcomed as a precursor to apprenticeships
	Develop graduate programme to target specific skills gaps e.g. planning, law, sales	<ul style="list-style-type: none"> • Engaged and satisfied workforce, leading to increased productivity 		√		HR/L&D/Working group	Vacancies filled with quality candidates
	Devise talent management programme to ensure retention and engagement of staff	<ul style="list-style-type: none"> • Proactive approach to recruitment and promotion • Better use of resources and structured approach to secondments 		√		HR/L&D	Aligned talent management programme with the corporate strategy
	Produce workforce profiles (succession			√		HR/Managers	Demonstrates commitment to

	plans) to identify future recruitment needs and inform training plans						developing career pathways for employees which would facilitate the Councils ability to recruit/retain to performing employees
	Enable managers to 'grow their own' talent			√		HR/L&D/Managers	Address key strategic business needs and ensure succession for critical roles
	Review Project Academy and internal secondment process to give maximum opportunities to staff for internal career development			√		James Drury	
Employee engagement	Continue with annual employee survey and managers to discuss results with their teams to develop team action plan of items of concern to	<ul style="list-style-type: none"> Improved employee engagement Visibility of senior management Improved 	√	√	√	Health & Wellbeing Manager/Managers	Completion rates of the employee survey Demonstrable action on areas

	team and continually review.	communication flow					of concern
	Continue CE and Leader open door lunch	<ul style="list-style-type: none"> Better understanding at all levels of each others roles 	√	√	√	SLT/Leader	Number of employees that attend the open door sessions
	Consider inviting staff to breakfast meetings to do presentations i.e. a day in the life	<ul style="list-style-type: none"> Consistent and appropriate communication flow Support for staff and managers Make 'One Council' a reality 	√			SLT/Managers /Employees	
	Review current communication channels and consider use of core brief for key messages with feedback mechanisms included	<ul style="list-style-type: none"> Better understanding and acceptance of change/transformation programmes 		√		John Fern/SLT/All Managers	<p>Continue use of core briefs when the subject requires</p> <p>New intranet has channels for staff to feedback opinions and questions (eg ran the Ask the Boss initiative)</p> <p>Use of discussion</p>

							forums by staff to ask questions and give opinions
							ability to ask questions about particular pages on intranet).
							Increasing use of video to help communicate internal messages
	Make team meetings mandatory on a specified basis at all levels of the organisation.		√			All Managers	Informed and engaged workforce
	Utilise intranet to publish employee profiles			√		John Fern/ Communications team	Increased engagement by bringing remote employees together and through networking internally and externally
	Review methods of communication for			√		John Fern/ Managers	Engaged staff and reduced

	staff without IT						turnover
	Consider council wide events to bring people together – ‘one council’			√		SLT/ Managers	Positive impact on employees health & wellbeing
	Develop an operating model for managing remote/home workers to ensure they are engaged with the business and are supported in their roles			√		HR/BT	Engages employees that feel part of the working environment
	Communicate GPGS outcomes and rationale to staff to get engagement		√			Karen Brown/Project Academy team	Engaged employees
	Review membership of all groups to ensure staff at all levels are involved in task and finish groups to focus effort and utilise skills efficiently			√		Karen Brown	
	Corporate/Cabinet review of the			√		SLT/Leader/Cabinet	

	decision making process and it's timeline						
Health and wellbeing	Promote health and wellbeing in the workplace	<ul style="list-style-type: none"> Better support for staff and managers Healthy and engaged workforce Employees feel more valued 	√			Health & Wellbeing Manager/ Managers	<p>Demonstrates commitment to staff health and wellbeing.</p> <p>Reduced sickness absence</p>
	Sign up for 'Time to Change' mental health awareness programme	<ul style="list-style-type: none"> Supports workforce recruitment and retention 	√			Health & Wellbeing Manager/ Managers	<p>Demonstrates commitment to staff health and wellbeing.</p> <p>Reduced sickness absence</p>
	Review Occupational Health service to ensure it supports and promotes employee health	<ul style="list-style-type: none"> Managers feel more confident tackling absence related issues and discussing mental health issues to provide appropriate support 	√			HR	Reduced number of instances of ill health and lost days
	Review Occupational risks to health at Health and Safety committee taking action to minimise	<ul style="list-style-type: none"> Staff have access to the best OH provision available in a timely manner 	√	√	√	HR/Marc Jasinski/Health & Safety working group	<p>Results from 3 year improvement plan</p> <p>Reduced accidents and lost days</p> <p>Employee opinion</p>

	risks at all times	<ul style="list-style-type: none"> Causes of stress identified and mitigated wherever possible 					survey
	Ensure managers are confident and competent in managing absence and work related health matters through			√		HR/Managers	Training programme developed and delivered to all managers/supervisors
	launch of new absence policy and training to support implementation					HR	Training programme developed and delivered to all managers/supervisors
	Conduct annual stress risk assessments on services and action plan findings			√		Marc Jasinski/All Managers	Revise, reissues of stress risk assessment policy & guidance
	Promote Healthy Workplace initiative		√			HR/L&D/Communications/H&S All Managers	Higher engagement levels Behaviour changes Healthy and productive workforce. Boost in staff morale

Chesterfield Borough Council

Equality Impact Assessment - Full Assessment Form

Service Area: **Personnel & Financial Services (arvato Public Sector Services)**

Section: **Human Resources**

Lead Officer: **Kate Harley**

Title of the policy, project, service, function or strategy the preliminary EIA is being produced for:

Workforce Strategy 2015-2019

Is the policy, project, service, function or strategy:

Existing

Changed

New/Proposed

STEP 1 – MAKE SURE YOU HAVE CLEAR AIMS AND OBJECTIVES

What is the aim of the policy, project, service, function or strategy?

The aim of the Workforce Strategy is to set out key actions for the workforce in its broadest terms for the period 2015-19 and to provide a framework to ensure our people management practices are aligned to the delivery of our corporate aims. Through implementation of the action plan, we will be able to ensure that our workforce is reflective of the community across all levels, and that all of our employees have equitable access to training and development opportunities. The action plan will also enable us to continue to offer apprenticeship and trainee opportunities for members of the community.

This EIA measures the impact of the overarching values within the Workforce Strategy.

Who is the policy, project, service, function or strategy going to benefit and how?

The strategy is going to benefit the Council by having a diverse, committed, motivated and highly skilled workforce to meet its plans for delivering high quality services and will benefit employees by providing a framework for them to develop the skills and abilities to help meet the Council's objectives in addition to contributing to their own personal development. Some areas of the action plan are expected to have a positive impact on particular groups, for example, targeted recruitment to create a workforce that is reflective of the community, and these impacts will be assessed in individual EIAs for each action within the plan.

What outcomes do you want to achieve?

A workforce which is reflective of our community, that not only has the skills and abilities to deliver the services to the standards required but are also motivated and committed to working for the Council.

Through the action plan, we will create opportunities that address the lack of diversity at senior levels in the Council.

What barriers exist for both the Council and the groups/people with protected characteristics to enable these outcomes to be achieved?

Barriers / factors which may impact on the delivery of our desired outcomes include:

- Availability of resources to support actions such as targeted advertising / recruitment and provision of training.
- Increasing diversity at senior levels is not likely to be fully achieved in the short term because this will require a change in culture to some extent, and because time and development opportunities need to be invested in employees from underrepresented groups.
- Succession planning to ensure a sustainable workforce is also a long term activity.
- The Council has traditionally found it difficult to attract and recruit employees with a minority ethnicity.

STEP 2 – COLLECTING YOUR INFORMATION

What existing data sources do you have to assess the impact of the policy, project, service, function or strategy?

- The annually refreshed State of the Borough Report provides a community profile including demographics, education and qualifications and employment statistics.
- Existing information has been gathered from Resourcelink, the Council’s HR System to analyse the equalities information and other data on our employees. This information has been used to publish a workforce profile, including an equalities breakdown of employees at each pay grade, in January 2015 in compliance with the Public Sector Equality Duty (please see the charts below).
- Recruitment monitoring is undertaken and further monitoring is being developed to enable us to analyse the learning and development of our employees broken down into protected groups.
- Recommendations were also made in our Equality Framework for Local Government Peer Challenge during February 2011, in which we were successful in being awarded the ‘Achieving’ Level Standard.

STEP 3 – FURTHER ENGAGEMENT ACTIVITIES

Please list any additional engagement activities undertaken to complete this EIA e.g. met with the Equalities Advisory Group, local BME groups, Employee representatives etc. Could you also please summarise the main findings.

Date	Engagement Activity	Main findings
Ongoing 2015-16	Consultation with unions and workforce strategy	<p>Consultation has been taking place with the Trade Unions but no specific discussion on equalities issues.</p> <p>As each action detailed in the plan is implemented, further consultation will take place and where appropriate specific EIA’s will be completed on each project</p>

External consultation has not taken place, as this strategy generally covers existing employees. The issue which may have an external impact is around recruitment and the Equalities Advisory Group have been consulted on these issues in relation to the Recruitment and Selection Policy

STEP 4 – WHAT’S THE IMPACT?

Is there an impact (positive or negative) on some groups/people with protected characteristics in the community? (think about race, disability, age, gender, religion or belief, sexual orientation and other socially excluded communities or groups). You may also need to think about sub groups within each equalities group or protected characteristics e.g. older women, younger men, disabled women etc.

Please describe the potential impacts both positive and negative and any action we are able to take to reduce negative impacts or enhance the positive impacts.

Our current Workforce Profile

In order to measure the impact of the strategy on our employees, we have used the following current Workforce Profile./

Gender and Transgender

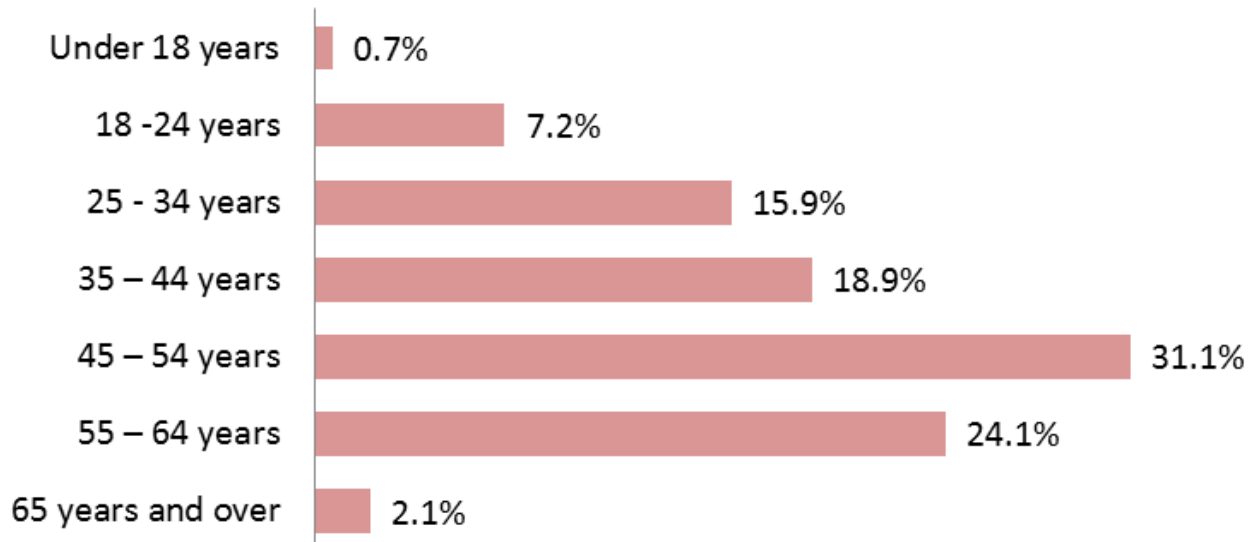
Gender	Percentage of all employees	Percentage of full time employees	Percentage of part time employees
Female	44.6%	27.9%	69.8%
Male	55.4%	100%	30.2%

Issues for transgender employees

We understand that not everybody wishes to disclose this information to their employer. Therefore, CBC is part of the Derbyshire Lesbian, Gay, Bisexual, and Transgender Forum which brings together individuals, community groups, organisations and businesses together in order to raise the profile and provide solutions to the issues and needs of our LGB&T community. The forum is an opportunity to learn from experiences and share best practice as service providers and employers.

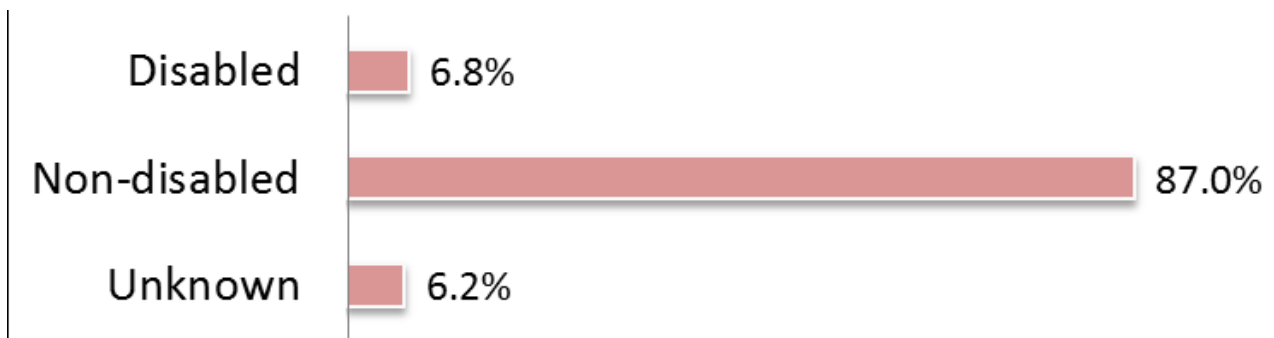
Age

Age Group	Percentage of Employees
Under 18 years	0.7%
18 -24 years	7.2%
25 - 34 years	15.9%
35 – 44 years	18.9%
45 – 54 years	31.1%
55 – 64 years	24.1%
65 years and over	2.1 %



Disability

Table 3: CBC employees by disability	
	Percentage of Employees
Disabled	6.8%
Non-disabled	87.0%



Ethnicity

Table 4: CBC employees by ethnicity	
Ethnicity	Percentage of Employees
White British	93.2%
Black African	0.2%
Black Caribbean	0.2%
Indian	0.3%
Irish	0.3%
Italian	0.5%
Mixed White	0.4%
Mixed White and Black Caribbean	0.1%
Other White background	0.9%
Polish	0.1%
Unknown	4.9%

Religion

Table 5: CBC employees by religion	
Religion	Percentage of Employees
Christian	54.8%
Buddhist	0.1%
Hindu	0.1%
Jewish	0.1%
Muslim	0.2%
Sikh	0.1%
Other	1.8%
Not given	5.7%
None	31.9%
Unknown	5.5%

Sexual Orientation

Indication of the likely sexual orientation distribution of CBC's workforce

CBC is beginning to collect information about the sexual orientation of the workforce, however, we understand that not everybody wishes to disclose this information to their employer. According to Stonewall, the Department of Trade and Industry uses a 'reasonable' estimate of 5-7% of the population are lesbian, gay or bisexual. This would mean that around 6228 people in the Borough are lesbian, gay or bisexual. (Chesterfield has an estimated population of 103,800 [Census 2011])

Gender Pay Gap as at 2012

Gender Pay Gap	
Gender	Average income from employment per year
Female	£25853.66
Male	£27514.81
Difference in Pounds	£1661.15
Difference as a Percentage	6.04%

Pay Scale Distribution by Gender, Age, Disability and Race

Table 6: CBC employees' pay scale by gender			
Pay Scale	Percentage of total workforce at this scale	Percentage at this scale that are male	Percentage at this scale that are female
Scale 1 (starts at £13,500)	4.4%	22.5%	77.5%
Scale 2 (starts at £13,715)	4.9%	37.8%	62.2%
Scale 3 (starts at £14,338)	9.2%	39.8%	60.2%
Scale 4 (starts at £16,231)	15.4%	45.4%	54.6%
Scale 5 (starts at £17,714)	15.6%	47.6%	52.4%
Scale 6 (starts at £20,253)	8.5%	33.3%	66.7%
Scale 7 (starts at £22,937)	7.7%	64.3%	35.7%
Scale 8 (starts at £26,923)	4.5%	58.5%	41.5%
Scale 9 (starts at £29,558)	5.7%	65.4%	34.6%
Scale 10 (starts at £31,846)	1.1%	50%	50%
Scale 11 (starts at £35,662)	2.4%	63.6%	36.4%
Scale 12 (starts at £39,267)	1.5%	50%	50%
Scale 13 and above (starts at £42,957)	1.4%	69.2%	30.8%

Table 7: CBC employees' pay scale by age group

Pay Scale	Percentage of total workforce at this scale	% at this scale under 18 years	% at this scale 18-24 years	% at this scale 25-34 years	% at this scale 35-44 years	% at this scale 45-54 years	% at this scale 55-64 years	% at this scale 65 years and over
Scale 1 (starts at £13,500)	4.4%	2.5%	10.0%	15.0%	30.0%	42.5%	0.0%	2.5%
Scale 2 (starts at £13,715)	4.9%	17.8%	17.8%	8.9%	20.0%	24.4%	11.1%	17.8%
Scale 3 (starts at £14,338)	9.2%	23.8%	15.5%	13.1%	21.4%	23.8%	2.4%	23.8%
Scale 4 (starts at £16,231)	15.4%	5.7%	9.2%	19.9%	35.5%	26.2%	3.5%	5.7%
Scale 5 (starts at £17,714)	15.6%	4.2%	17.6%	24.6%	26.8%	23.9%	2.8%	4.2%
Scale 6 (starts at £20,253)	8.5%	1.3%	14.1%	21.8%	46.2%	15.4%	1.3%	1.3%
Scale 7 (starts at £22,937)	7.7%	0.0%	12.9%	18.6%	35.7%	31.4%	1.4%	0.0%
Scale 8 (starts at £26,293)	4.5%	0.0%	14.6%	12.2%	43.9%	29.3%	0.0%	0.0%
Scale 9 (starts at £29,558)	5.7%	0.0%	11.5%	21.2%	46.2%	21.2%	0.0%	0.0%
Scale 10 (starts at £31,846)	1.1%	0.0%	10.0%	10.0%	50.0%	20.0%	10.0%	0.0%
Scale 11 (starts at £35,662)	2.4%	0.0%	9.1%	40.9%	22.7%	27.3%	0.0%	0.0%
Scale 12 (starts at £39,267)	1.5%	0.0%	0.0%	21.4%	35.7%	42.9%	0.0%	0.0%
Scale 13 and above (starts at £42,957)	1.4%	0.0%	0.0%	15.4%	30.8%	53.8%	0.0%	0.0

Table 8: CBC employees' pay scale by disability

Pay Scale	Percentage of total workforce at this scale	Percentage at this scale that have a disability	Percentage at this scale with no disability
Scale 1 (starts at £13,500)	4.4%	0.0%	100.0%
Scale 2 (starts at £13,715)	4.9%	2.4%	97.6%
Scale 3 (starts at £14,338)	9.2%	3.7%	96.3%
Scale 4 (starts at £16,231)	15.4%	13.5%	86.5%
Scale 5 (starts at £17,714)	15.6%	5.2%	94.8%
Scale 6 (starts at £20,253)	8.5%	8.2%	91.8%
Scale 7 (starts at £22,937)	7.7%	16.1%	83.9%
Scale 8 (starts at £26,293)	4.5%	9.8%	90.2%
Scale 9 (starts at £29,558)	5.7%	10.6%	89.4%
Scale 10 (starts at £31,846)	1.1%	0.0%	100.0%
Scale 11 (starts at £35,662)	2.4%	4.8%	95.2%
Scale 12 (starts at £39,267)	1.5%	15.4%	84.6%
Scale 13 and above (starts at £42,957)	1.4%	7.7%	92.3%

Table 9: CBC employees' ethnicity at each pay grade (as at 2012)

Pay Scale	% of total workforce at this scale	% at this scale White British	% at this scale White Irish	% at this scale Italian	% at this scale Polish	% at this scale Other White background	% at this scale White and Black Caribbean	% at this scale any other Mixed background	% at this scale Indian	% at this scale Black Caribbean	% at this scale Black African	% at this scale ethnicity unknown
Scale 1 (starts at £12,145)	6.5%	96.9%	0.0%	0.0%	1.5%	1.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Scale 2 (starts at £12,787)	5.6%	98.2%	0.0%	1.8%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Scale 3 (starts at £13,874)	13.1%	97.7%	0.0%	1.5%	0.0%	0.0%	1.5%	0.0%	0.0%	0.0%	0.0%	0.0%
Scale 4 (starts at £15,725)	17.6%	97.1%	0.0%	0.6%	0.0%	2.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Scale 5 (starts at £17,161)	13.9%	99.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.7%	0.0%	0.0%	0.0%	0.0%
Scale 6 (starts at £19,621)	6.3%	95.4%	0.0%	0.0%	0.0%	3.0%	0.0%	0.0%	1.5%	1.5%	0.0%	0.0%
Scale 7 (starts at £22,221)	7.2%	98.6%	1.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Scale 8 (starts at £25,472)	4.3%	97.6%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	2.4%	0.0%	0.0%
Scale 9 (starts at £28,636)	3.9%	92.3%	0.0%	2.6%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	2.6%	2.6%
Scale 10 (starts at £30,851)	1.2%	83.3%	0.0%	0.0%	0.0%	16.7%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Scale 11 (starts at £34,549)	2.0%	95.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	5.0%
Scale 12 (starts at £38,042)	1.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Scale 13 and above (starts at £41,616)	1.2%	92.9%	7.7%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Operational Services Division	16.4%	93.8%	0.7%	0.0%	0.0%	1.4%	0.0%	0.0%	0.0%	0.0%	0.0%	4.1%

Impact on the Workforce

Group or Protected Characteristic	Positive impacts	Negative impacts	Action
Overall impact on the workforce.	Implementation of the strategy should ensure that all of our employees have equitable access to training and development opportunities.	No overall negative impacts have been identified regarding the overarching Workforce Strategy. Negative impacts identified within the action plan will be mitigated against in separate EIAs.	<p>Further EIAs will be undertaken to measure the impact of each of the key actions within the action plan as they are developed.</p> <p>These will include:</p> <ul style="list-style-type: none"> • Redeveloping the EPD system and developing a competency framework; • Developing learning and training programmes; • Secondment and shadowing programmes; • Future Manager fast track programme; • Apprenticeships and trainee placements; • Targeted recruitment; • Review of the job evaluation process.
Age – including older people and younger people.	<p>See overall impact</p> <p>The Council recognise the skills and experience older employees can bring to the organisation but will encourage all employees to develop regardless of age</p> <p>Supporting apprentices will</p>	<p>See overall impact</p> <p>As more consideration needs to be given to succession planning, some managers may perceive this to favour younger employees.</p>	<p>See overall impact</p> <p>Training for managers to ensure that all employees given opportunities regardless of age.</p> <p>As other associated projects/policies developed impact on age to be considered</p> <p>Offer a variety options to assist in development</p>

	assist in providing younger people with skills to gain employment		of employees to suit different age ranges.
Disabled people – physical, mental and sensory including learning disabled people and people living with HIV/Aids and cancer.	<p>See overall impact</p> <p>Implicit in the strategy that the Council should take action to increase the diversity of its leaders, which could include the number of employees with a disability.</p>	<p>See overall impact</p> <p>Need to ensure that as changes are implemented, there are no negative impacts</p>	<p>See overall impact</p> <p>As each action is implemented, then the specific project will need to be assessed for impact on this group.</p> <p>Improved equalities monitoring will enable us to identify, analyse and report on the breakdown of applicants</p> <p>Reasonable adjustments should always be considered to enable disabled employees to participate in development opportunities</p>
Gender – men, women and transgender.	<p>See overall impact</p> <p>Implicit in the strategy that the Council should take action to increase the diversity of its leaders, which could include employees from this group</p>	See overall impact	<p>See overall impact</p> <p>As each action is implemented, then the specific project will need to be assessed for impact on this group.</p> <p>Improved equalities monitoring will enable us to identify, analyse and report on the breakdown of applicants</p>
Marital status including civil partnership.	See overall impact	See overall impact	See overall impact
Pregnant women and people on maternity/paternity.	<p>See overall impact</p> <p>The aim of the strategy is to</p>	See overall impact	<p>See overall impact</p> <p>All employees, including those on maternity</p>

<p>Also consider breastfeeding mothers.</p>	<p>have employees with the right skills and experience and this group of employees will have received training and have experience which the Council should retain</p>		<p>leave should always be kept informed of opportunities and changes in the workplace</p> <p>As each action is implemented, then the specific project will need to be assessed for impact on this group.</p>
<p>Sexual Orientation – Heterosexual, Lesbian, gay men and bi-sexual people.</p>	<p>See overall impact</p> <p>Implicit in the strategy that the Council should take action to increase the diversity of its leaders, which could include employees from this group</p>	<p>See overall impact</p>	<p>See overall impact</p> <p>As each action is implemented, then the specific project will need to be assessed for impact on this group.</p> <p>Improved equalities monitoring will enable us to identify, analyse and report on the breakdown of applicants</p>
<p>Ethnic Groups</p>	<p>See overall impact</p> <p>Implicit in the strategy that the Council should take action to increase the diversity of its leaders, which could include the number of employees with different ethnic backgrounds.</p> <p>Targeted recruitment is likely to have a positive impact on this group as it is currently underrepresented.</p>	<p>See overall impact</p>	<p>See overall impact</p> <p>As each action is implemented, then the specific project will need to be assessed for impact on this group.</p> <p>Improved equalities monitoring will enable us to identify, analyse and report on the breakdown of applicants</p>

<p>Religions and Beliefs including those with no religion and/or beliefs.</p>	<p>See overall impact</p> <p>Implicit in the strategy that the Council should take action to increase the diversity of its leaders, which could include the no of employees with different ethnic backgrounds.</p>	<p>See overall impact</p>	<p>See overall impact</p> <p>As each action is implemented, then the specific project will need to be assessed for impact on this group.</p> <p>Improved equalities monitoring will enable us to identify, analyse and report on the breakdown of applicants</p>
<p>Other groups e.g. those experiencing deprivation and/or health inequalities.</p>	<p>See overall impact</p> <p>Opportunities available to develop regardless of background</p> <p>Apprenticeships will help younger people who may otherwise be unable to find employment</p>	<p>See overall impact</p>	<p>See overall impact</p>

From the information gathered above does the policy, project, service, function or strategy directly or indirectly discriminate against any particular group or protected characteristic?

Yes

No

If yes what action can be taken to stop the discrimination?

Please see mitigating action column in the table above.

STEP 5 – RECOMMENDATIONS AND DECISION MAKING

How has the EIA helped to shape the policy, project, service, function or strategy or affected the recommendation or decision?

The strategy is focused on ensuring that employees have the right skills and experience to deliver council services. However from data gathered on the profile of the workforce, it is clear that the strategy also needs to have a focus on increasing the diversity of its leaders. In the current economic climate and considering the local jobs market, the strategy will assist in increasing employment opportunities through apprenticeships for unemployed people.

How are you going to monitor the policy, project, service, function or strategy, how often and who will be responsible?

The strategy currently has a draft action plan, but this will need to be updated once the strategy has been agreed. It is the responsibility of the HR Manager to review and report back on a quarterly basis with reports to cabinet annually.

Implementation of the action plan will need more detailed information about how each project/issue will be implemented with further consultation undertaken as appropriate.

Further EIAs will be undertaken to measure the impact of each of the key actions within the action plan as they are developed.

STEP 6 – KNOWLEDGE MANAGEMENT AND PUBLICATION

Please note the draft EIA should be reviewed by the appropriate Head of Service/Service Manager and the Policy Service before WBR, Lead Member, Cabinet, Council reports are produced.

Reviewed by Head of Service/Service Manager

Name: Kate Harley

Date: 11/03/2016

Reviewed by Policy Service

Name: Donna Reddish

Date: 14/03/16

Final version of the EIA sent to the Policy Service ✓

Decision information sent to the Policy Service

COUNCIL MEETING – 27 APRIL 2016 **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	17 February 23 March 6 April 13 April
Employment and General Committee	25 January 29 March
Licensing Committee	2 March
Planning Committee	22 February 14 March

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Martin Elliott

Democratic Services, Town Hall, Chesterfield, S40 1LP

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

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CABINET

Tuesday, 23rd February, 2016

Present:-

Councillor Burrows (Chair)

Councillors T Gilby
T Murphy
Blank

Councillors Huckle
Ludlow
A Diouf

Non Voting Members Bagley
J Innes
Brown

Hollingworth
Wall

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

154 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Serjeant.

155 MINUTES

RESOLVED –

That the minutes of the meeting of Cabinet held on 9 February, 2016 be approved as a correct record and signed by the Chair.

156 FORWARD PLAN

The Forward Plan for the four month period 1 March – 30 June, 2016 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

157 **2016/2017 BUDGET AND MEDIUM TERM FINANCIAL PLAN**

The Chief Executive and the Chief Finance Officer submitted a report on the draft General Fund budget, making recommendations to Council on the budget allocations and the Council Tax level for 2016/17.

The Chief Finance Officer advised that since the revised budget in December 2015 further work had been undertaken to identify other possible variances for inclusion in the final 2015/16 budget, and that the updated revised budget forecast for 2015/16 showed a surplus of £225,000. It was noted that the continuing late announcement of funding settlements and the complexities of the Business Rate Retention scheme had made the budget setting process very difficult again this year.

The report included proposals for maintaining a sustainable and affordable budget over the medium term, taking into account the effects of the economic climate on income streams, cuts in the revenue support grant, and changes in funding arrangements resulting from the Local Government Finance Review in 2013. Details of Government funding including the Revenue Support Grant and the New Homes Bonus were provided, and it was noted that while the £900,000 of New Homes Bonus that the council had received in 2015/16 was to be welcomed, there remained great uncertainty regarding the continuation of the scheme for future years. The other major funding sources for the General Fund were business rates growth, fees and charges (particularly car parking income), rental income from the Council's industrial and commercial property portfolio as well as council tax.

The Chief Finance Officer advised that for 2016/17 district councils were able to increase their council tax by a maximum of £5 or 2%, and that for Chesterfield a £5 increase would be equivalent to an increase of 3.45%. The report set out, and evaluated all of the council tax setting options available to the Council.

The report also provided details of the expenditure estimates for 2016/17 to 2020/21, and summarised the planned budget savings proposals over the same period. A review of the Council's reserves and priorities had been undertaken and the report also included a comprehensive risk and sensitivity analysis.

Alternative options were considered throughout the budget setting process.

***RESOLVED -**

That it be recommended to Full Council that:

1. The revised budget for 2015/16 be approved.
2. The Local Government Finance Settlement be noted.
3. That, subject to receiving a full report of the implications of the offer, the principle of receiving a four year Local Government Finance Settlement be approved.
4. The Collection Fund and the Tax Base forecasts be noted.
5. The Portfolio budgets and the overall revenue budget summary for 2016/17 be approved.
6. Authority be delegated to the Chief Finance Officer in consultation with the Leader, Deputy Leader and Chief Executive to review what is required to submit an Efficiency Strategy for the Council to ensure that maximum opportunity is taken from the proposed flexibility in relation to the future use of capital receipts.
7. The budget forecasts for 2016/17 and the medium term as well as the strategy for addressing the projected deficits be noted.
8. The estimates of reserves including:
 - I. maintaining the General Working Balance at £1.5m;
 - II. allocating £40k from the Invest to Save Reserve and £110k from the Service Improvement Reserve to finance the £150k budget growth request for support to deliver the Council's savings targets;
 - III. allocating £245k from the Property Repairs Fund to fund capital programme schemes;

be approved.

9. The budget risks and sensitivity analysis be noted.
10. The Local Business Rate Retail Relief schemes, for which the Government will no longer be providing funding, cease.
11. The recommended £5 increase in Council Tax for 2016/17 be approved.
12. The 2016/17 Council Tax Requirement and financing be approved.
13. The Chief Financial Officer's assurances be noted.

REASON FOR DECISIONS

In order to meet the statutory requirements relating to setting a budget and the council tax.

158

GENERAL FUND CAPITAL PROGRAMME

The Chief Finance Officer submitted a report recommending for approval the updated General Fund Capital Strategy and Programme for 2015/16 to 2018/19.

The report provided details of:

- The updated Capital Strategy.
- Updated Capital Programme forecasts.
- Schemes added to the Programme during 2015/16.
- Progress made on current major schemes including Waterside Canal Infrastructure Works.
- Recurring schemes including expenditure on Disabled Facilities Grants, vehicle and plant maintenance, ICT and major property repairs.

The report also provided details of capital financing arrangements, capital receipts and the net financing position.

The Chief Finance Officer advised that based on current forecasts there would be no surplus resources available to fund new capital schemes until 2017/18. In this situation new schemes would only be able to be added to the Programme where they were aligned with a Corporate Plan

priority and that the additional funding required had been identified and secured. The Senior Leadership Team had reviewed the capital growth requests submitted by Service Managers had recommended four programmes to be added to the Capital Programme, which were:

- Reconfiguration of administration area to create usable space at the Healthy Living Centre;
- Increasing the budget for the Town Hall restack as part of the Great Place; Great Service, transformation programme;
- Replacing the lift at the Winding Wheel;
- Installing new pay on foot machines at the council's surface car parks.

The report also included recommendations on capital schemes which should be placed a waiting list, pending the availability of capital receipts, as well as schemes where a decision to add to the Capital Programme should be deferred.

***RESOLVED –**

That it be recommended to Full Council that:

1. The Capital Strategy be approved.
2. The updated General Fund Capital Programme expenditure and financing be approved.
3. The new schemes outlined in paragraph 8.4 of the Chief Finance Officer's report are added to the Capital Programme.
4. The prioritised list of "waiting list" schemes for the Capital Programme be approved.

REASON FOR DECISIONS

To update the Council's General Fund Capital Programme, and ensure that it is affordable and deliverable over the medium term.

The Policy Manager attended to present the Corporate Management Team's report recommending for approval the Council Plan 2015-2019, updated for 2016/17.

In 2015/16 the Council had moved from the production of a one year plan to a four year strategic Council Plan following a recommendation from the Local Government Association's peer challenge in 2013. The updated plan had set out the Council's key priorities and aims, based on those identified by Cabinet Members and officers and taking account of a wide range of evidence. The plan was aimed at providing focus, and setting out priorities and projects that would require a collected corporate effort during the period.

The Council Plan had been revised to show the progress made during the first year of the plan, and also to highlight the progress expected by the half-way point of the plan which would be in April 2017. The refreshed plan provided continuity with the 2015/16 version of the plan, maintaining the same vision, three overarching priorities, four year aims and Council values. The Policy Manager also provided information on how the plan would be monitored and reviewed throughout the year in order to ensure that it delivered the council's planned objectives.

***RESOLVED -**

That it be recommended to Full Council that:

1. The Council Plan 2015-2019, updated for 2016/17 is adopted as the Council's strategic framework.
2. The Deputy Leader is delegated authority to approve any minor drafting changes that may be required in order to improve the readability of the plan.

REASON FOR DECISIONS

To provide the Council with a clear statement of its strategic priorities for 2015-2019 and a framework within which decisions can be made about the allocation of resources.

The interim Environmental Services Manager submitted a report recommending for approval the proposed fees and charges for Outdoor Recreation facilities to take effect from 1 April, 2016.

The fees and charges proposals had taken into account:

- The need for the Council to achieve a balanced budget.
- The fees and charges structures of other local public and private sector providers.
- The ability of all customers to pay in the current economic climate, and the demand for facilities.
- The need to address health inequalities across the borough, and to encourage young people to participate in sporting activities.

The option of introducing lower increases was ruled out as the proposed increases in the charges were required to deliver a balanced and sustainable budget. An option of introducing a significantly greater increase in the charges was ruled out as there would have been a risk in terms of putting off potential customers, harming the council's finances, as well as negatively impacting on local sports teams.

***RESOLVED –**

1. That the charges set out in Appendix A of the officer's report be approved and implemented for the financial year 2016/17.
2. That the Interim Environmental Services Manager, in consultation with the Cabinet Member for Health and Wellbeing be authorised to revise the approved Fees and Charges where threats to income generation emerge and/or opportunities to raise additional income arise, when they are in line with the Council's general principles for charging.

161 HOUSING REVENUE ACCOUNT BUDGET 2016/17 - 2021/22

The Housing Service Manager – Business Planning and Strategy and the Chief Finance Officer submitted a report on the probable outturn on the Housing Revenue Account for the current financial year and seeking approval for the budget estimates for 2016/17.

The rent and service charge levels agreed by Cabinet in January (Minute No.144 (2015/16)) had been incorporated into the 2016/17 budget forecast. The report also proposed a schedule of priority growth requests.

The Housing Manager noted that the financial strategy for the HRA was to deliver a balanced and sustainable budget which is self-financing in the longer term and which reflected both the requirements of tenants and the strategic vision and priorities of the Council. However the implications arising from the new Welfare Reform and Work Bill, Housing and Planning Bill and the announcements in the Comprehensive Spending Review, most notably the 1% per annum reduction in social rents would have a significant impact on the Housing Revenue Account creating large deficits in future years. The introduction of the 1% rent reduction over four years would mean a loss of £10 million in rental income in real terms, and over the life of the Business Plan the loss would be £172.4 million in rental income. This would mean that for the council to continue delivering services and investing in the housing stock as planned it would require borrowing up to the debt cap of £155.6 million by 2018/19, and that even with increased borrowing there would still be a significant shortfall for the Housing Capital Programme

The Housing Manager advised that as this situation was financially unsustainable work was continuing to make changes within the HRA Business Plan in order to reach a long term sustainable position, and that a report regarding these proposals would be brought Cabinet in March, 2016.

***RESOLVED -**

1. That the probable outturn for the current financial year be noted.
2. That the draft estimates for 2016/17 be noted.
3. That the "Growth Items" at Annexe 6 of Appendix A of the officers' report be approved.
4. That further work is undertaken to identify actions required which will return the working balance for 2017/18 onwards to acceptable levels, and that the findings are reported back as part of the Housing Revenue Account 30 Year Business Plan Report.

162 **HOUSING CAPITAL PROGRAMME - NEW PROGRAMME FOR 2016/17, 2017/18 AND 2018/19**

The Housing Service Manager – Business Planning and Strategy submitted a report on the Housing Capital Programme, outlining proposals for the New Programme for 2016/17, as well as for the provisional 2017/18 and 2018/19 programmes.

The report outlined the financial strategy to maintain the Decent Homes Standard for 100% of the council's properties, which had first been achieved in March 2015, as well for plans to improve the non-traditional housing stock and to deliver improvements to the estates environment in the immediate short term.

The Housing Service Manager advised that the proposed 2016/17 programme continued to broadly reflect the capital programme used in the Housing Revenue Account Business Plan in previous years and addressed needs arising due to the ageing housing stock, as identified in the Stock Condition Survey. The focus of the programme remained the modernisation of properties to maintain the 100% level of stock being maintained at the Decent Homes Standard, with the balance of activity over the next twelve months concentrating on building elements such as heating, roofs and rewires. It was noted that due to the large reduction of income to the Housing Revenue Account due to the annual 1% reduction in social rents over the next four years, a review of the way in which it would deliver future maintenance programmes would be carried out.

Information was provided on the commitment to use local contractors where possible, and tenant involvement in reviewing and prioritising the Capital Programme. The Housing Manager advised that the proposed programme broadly reflected tenants' priorities in particular the increased investment in environmental improvements. The allocation of work to the Housing Services' Operational Services Division was also outlined.

***RESOLVED -**

That Cabinet recommends to Full Council that:

1. The Housing (Public Sector) Capital Programme for 2016/17 be approved, and its procurement, as necessary, be authorised.

2. The provisional Housing (Public Sector) Capital Programme's for 2017/18 and 2018/19 be noted.
3. The Operational Services Division share of the Programme be approved.
4. The Housing Service Manager - Business Planning and Strategy be delegated authority to vire between programme heads and budgets in order to manage the Capital Programme as set out in the report.

REASONS FOR DECISIONS

The Council will be able to maintain its 'Decent Homes Standard' targets in line with the Council's Vision and Corporate Plan.

The condition of the Public Sector housing stock and its environment will be maintained and improved.

163 HOUSING REPAIRS BUDGET 2016/17

The Housing Services Manager – Operational Services Division submitted a report recommending for approval the Housing Repairs Budget for 2016/17.

It was noted that other than minor changes to reflect seasonal demands (such as storm damage and central heating break downs); there had been not been any major amendments required to the budget during 2015/16. The 2016/17 repairs budget proposed was otherwise consistent with that of 2015/16.

The Tenants Executive, the Tenant Challenge Panel and individual focus groups had been involved in reviews of the repairs policy to ensure continuous improvement.

***RESOLVED -**

1. That the Housing Repairs Budget for 2016/17 at Appendix 1 of the officer's report be approved.
2. That the Housing Services Manager - Operational Services, be authorised to vire between responsive repairs budget heads in order to effectively manage and respond to fluctuations in tenant-led or weather dependent repairs.

REASONS FOR DECISIONS

To permit required maintenance of the Housing Stock.

To support working with tenants through the tenant participation Strategy.

To support the Council's Vision and Corporate Plan.

164 **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 (Information relating to the financial or business affairs of any particular person (including the authority holding that information))

165 **SHEFFIELD CITY REGION INVESTMENT FUND – FUNDING AGREEMENTS**

The Development and Growth Manager submitted a report to update members on the Sheffield City Region Investment Fund (SCRIF) and the requirements of the Sheffield City Region Combined Authority with regard to funding agreements with local authority sponsors of SCRIF schemes, and to consider the proposal that Chesterfield Borough Council entered into funding agreements with the Sheffield City Region Combined Authority for the delivery of infrastructure works on the Chesterfield Waterside and Peak Resort schemes, as well as the mechanism by which funding could be forwarded on to the developers of those schemes with minimum risk to the Council.

It was stated that funding would provide an opportunity to help enable the delivery of infrastructure, and to bring forward the delivery of Basin Square as part of the Waterside development as well as Phase 1 of Peak Resort. It was noted that both schemes were within the Council's Corporate Plan and that their implantation would bring benefits to the Chesterfield economy.

The report provided details and a full assessment of both the benefits and risks of entering into funding agreements with the Sheffield City Region Combined Authority.

***RESOLVED -**

That Cabinet recommends to Full Council that:

1. The Council enters into the Sheffield City Region Investment Fund (SCRIF) funding agreement with Sheffield City Region Combined Authority for the delivery of Chesterfield Waterside and Peak Resort, subject to a satisfactory business case being in place.
2. The Cabinet Member for Regeneration is delegated authority to approve back to back funding agreements with the final recipients of SCRIF funding – Chesterfield Waterside Ltd and Birchall Properties Ltd.

REASON FOR DECISIONS

To bring about the successful delivery of the Chesterfield Waterside and Peak Resort schemes, both of which are Council Corporate Plan objectives.

CABINET**Tuesday, 8th March, 2016**

Present:-

Councillor Burrows (Chair)

Councillors T Gilby
T Murphy
Blank
Huckle

Councillors Ludlow
Serjeant
A Diouf

Non Voting Members Bagley
J Innes
Brown

Hollingworth
Wall

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

167 APOLOGIES FOR ABSENCE

There were no apologies for absence.

168 MINUTES**RESOLVED –**

That the minutes of the meeting of Cabinet held on 23 February, 2016 be approved as a correct record and signed by the Chair.

169 FORWARD PLAN

The Forward Plan for the four month period 1 April to 31 July, 2016 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

170 DELEGATION REPORT

Decisions taken by Cabinet Members during February were reported.

***RESOLVED –**

That the Delegation Report be noted.

171 REVIEW OF FEES AND CHARGES FOR WASTE AND RECYCLING 2016/17

The Waste and Street Cleaning Manager submitted a report setting out proposed charges for the collection and disposal of trade wastes and other miscellaneous environmental fees for 2016/17.

In accordance with the Council's Budget Strategy, charges for waste and recycling services are reviewed annually.

***RESOLVED -**

That the revised charges for trade waste and other miscellaneous environmental fees for 2016/17, as detailed at appendices A and B of the officer's report, be approved and implemented from 1 April, 2016.

REASON FOR DECISION

To set the Council's trade waste charges and other miscellaneous fees for the financial year 2016/17 in accordance with the Council's Budget strategy.

172 REVIEW OF CEMETERIES FEES AND CHARGES FOR 2016/17

The Interim Environmental Services Manager submitted a report recommending for approval the proposed fees and charges for the Council's cemeteries to take effect from 1 April, 2016.

The fees and charges proposals had taken into account:

- Cabinet's decision to increase cemeteries fees and charges to better reflect the cost of providing the service and to improve the standard of the management of the cemeteries (Minute No 159 (2013/14)).
- The need for the service to reduce the subsidy received and to move closer towards full cost recovery.
- A comparison of fees and charges made by other authorities in the surrounding areas, so that fees should remain competitive and affordable.
- The need for the Council to achieve a balanced budget.
- The current condition of the cemeteries.

The options of leaving the charges unchanged or introducing lower increases were ruled out as the proposed increases in the charges were required to deliver a balanced and sustainable budget.

***RESOLVED -**

That the revised fees and charges for cemeteries, as detailed at appendix A of the officer's report, be approved and implemented from 1 April, 2016.

REASON FOR DECISION

To set the cemeteries fees and charges for 2016/17 and encourage increased use of the cemetery service.

173

SMOKE AND CARBON MONOXIDE ALARM (ENGLAND) REGULATIONS 2015

The Housing Services Manager- Business Planning and Strategy and the Private Sector Housing Manager presented a report to inform members on the new Smoke and Carbon Monoxide Alarm (England) Regulations 2015, along with proposals as to how the council would manage its responsibilities created by the new regulations which had come into force on 1 October 2015.

The new regulations placed a requirement on private sector landlords to have at least one smoke alarm installed on every storey of their properties and a carbon monoxide alarm in any room containing a solid fuel burning appliance. The Regulations also required landlords to ensure that such alarms were in proper working order at the start of each new tenancy.

The report set out proposal regarding how the council would comply with the new regulations so that it would be able to undertake its statutory duties, as required by the regulations to serve remedial notices, arrange remedial action and to serve penalty charge notices as required.

***RESOLVED -**

1. That the introduction of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015, and the duty that these regulations place on the council, be noted.
2. That the Council's Constitution be amended to delegate authorisation to the Private Sector Housing Manager, to exercise the Council's full enforcement powers under the "Smoke and Carbon Monoxide Alarm (England) Regulations 2015".
3. That the proposed fee structure for fixed penalty notices that can be served in accordance with the regulations, as detailed at appendix 3 of the officer's report, be approved.
4. That the proposed "Statement of Principles" with regard to the Smoke and Carbon Monoxide Alarm (England) Regulations 2015, be approved.
5. That the proposed amendments to sections 4.4 and 4.5 of the existing licence conditions, relating to licences issued under Parts 2 or 3 of the Housing Act 2004, be approved.

REASONS FOR DECISIONS

To ensure that the Private Sector Housing Manager is authorised to exercise all necessary operational enforcement powers in respect of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015.

To ensure that the Chesterfield Borough Council (the local housing authority) is able to undertake its statutory duty to serve remedial notices, to arrange remedial action and serve penalty charge notices.

CABINET**Tuesday, 22nd March, 2016**

Present:-

Councillor Burrows (Chair)

Councillors	T Gilby T Murphy Blank	Councillors	Huckle Ludlow Serjeant
Non Voting Members	Bagley Brown		Innes Wall

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

175 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Diouf and Hollingworth.

176 MINUTES**RESOLVED –**

That the minutes of the meeting of Cabinet held on 8 March, 2016 be approved as a correct record and signed by the Chair.

177 FORWARD PLAN

The Forward Plan for the four month period 1 April to 31 July, 2016 was reported for information.

*** RESOLVED –**

That the Forward Plan be noted.

178 **MICROCHIPPING OF DOGS REGULATIONS 2015**

The Senior Environmental Health Officer presented a report to inform members about the Microchipping of Dogs (England) Regulations 2015 along with proposals to enable the enforcement of the provisions of the new regulations.

The report outlined the changes to the law from 6 April, 2016 which included:

- All dogs over 8 weeks old must be microchipped,
- A keeper who imports a dog must ensure that the dog is microchipped within 30 days of importing the dog,
- Where a dog is transferred to a new keeper, the new keeper must, unless the previous keeper has already done so, record their full name, address and contact telephone number and any change in dog's name with the database on which the dog's details are recorded,
- A keeper (which includes the breeder) must not transfer a dog to a new keeper until it has been microchipped.

The report included details on the procedure once a non-microchipped dog has been identified. A draft copy of the 'Notice to Microchip' was included in appendix A of the officer's report. It would be a criminal offence to fail to comply with the Notice and the regulations could be enforced by either Chesterfield Borough Council or Derbyshire Police. The regulations would be valid until 24 February, 2022 at which point they would be reviewed.

The report outlined the procedure for handling stray dogs and the financial implications and responsibilities of the council.

The report noted that the council has two Enforcement Officers that are legally permitted to microchip dogs and the council currently charges £16 per microchip and this could be done in the owner's home.

***RESOLVED –**

1. That the proposals set out within the officer's report be approved to enable the enforcement of the provisions of The Microchipping of Dogs (England) Regulations 2015.

2. That the necessary amendments to the Constitution be approved to enable the enforcement of the Regulations.

REASONS FOR DECISIONS

Microchipping is a permanent form of identification which is intended to increase the likelihood of lost and stray dogs being reunited with their owners and to increase the speed at which this can be achieved.

If a dog strays (stray dogs put the public at risk through potential attack and road traffic incidents) the Dog Warden is able to locate the keeper in an attempt to ensure that the dog does not stray again.

179 TENANTS SATISFACTION SURVEY RESULTS

The Housing Manager introduced a report on the results of the Survey of Tenants and Residents (STAR) carried out in Autumn 2015.

The STAR was a voluntary undertaking which replaced the Standardised Tenants Satisfaction Survey (STATUS) that had, until 2010, been a mandatory requirement.

The housing performance benchmarking company HouseMark had developed the STAR survey to equip housing providers with a means of comparing satisfaction with their services. Housing Services had commissioned the Policy Team to undertake the survey on their behalf.

The report included details of the results of the survey and noted that overall satisfaction with the service had risen from 87.5% in 2013 to 88.0% in 2015.

Housing Services, in conjunction with a Tenant Focus Group, planned to examine the results and identify further areas for improvement; an action plan would then be developed to address those areas.

***RESOLVED –**

1. That the outcomes of the Survey of Tenants and Residents that was carried out in the autumn of 2015 be noted.
2. That a further report be brought to Cabinet identifying any areas for improvement and the associated actions arising from the survey.

REASON FOR DECISION

To contribute to achieving the Council's priority 'to provide value for money services' and value 'Customer focused – delivering great customer service, meeting customer needs'.

180 **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 (Information relating to the financial or business affairs of any particular person (including the authority holding that information))

181 **REVIEW OF SPORTS AND LEISURE FEES AND CHARGES 2016/17**

The Sport and Leisure Manager submitted a report recommending for approval proposed changes to the fees and charges for Indoor Sport and Leisure facilities to take effect from 1 April, 2016.

The Sport and Leisure manager advised that the review of fees and charges had taken into account the economic challenges that faced the Council and local communities. The report noted that the Sport and Leisure Service needed to operate in a more business-like manner but maintain a balance of affordable access to services.

In addition, the fees and charges proposals had taken into account:

- The need for the Council to achieve a balanced budget,
- The fees and charges structures of other local public and private sector providers,
- Quality and mix of provision at the sports centres,
- Health inequalities,
- Value for money considerations,
- The Council's corporate priorities,
- Customer expectations,
- The need for concessionary pricing to have a positive impact in communities and address inactivity.

The report outlined changes to the Change4Life criteria which included the new concession arrangements that would be applied on a means basis using the criteria to be agreed corporately.

It was reported that the new QPSC had been registered for VAT; as a result the exempt payments made by regular bookings would be subject to VAT being paid. All the clubs had been advised of the changes and the impact and implications would be addressed in the setting of future fees and charges.

It was also reported that over 1300 new memberships at QPSC had been sold by February 2016 and the HLC had received record sales for December 2015 and January 2016.

***RESOLVED –**

1. That the proposed charges for Queen's Park Sport Centre and the Healthy Living Centre for 2016/17, as detailed in appendix A of the officer's report, be approved and implemented from 1 April, 2016.
2. That the amended charging policy, as detailed at appendix C of the officer's report, be approved with immediate effect.

REASONS FOR DECISIONS

To ensure the Council's fees and charges for Sport and Leisure Indoor facilities best place the service to achieve the 2020 corporate objectives.

To manage performance of the Councils overall financial position and reduce the overall cost of Sport and Leisure provision by the Council to a sustainable position – ideally breakeven.

To support the Council's corporate plan, develop social capital and community resilience; in particular improving health and well-being in the borough and the workplace.

To improve customer service, quality of provision, accessible service programming and overall participation levels of sport, physical activity and health in the borough.

To support identified target groups in taking part in activities through access to a wide range of opportunities including concessionary pricing.

CABINET**Tuesday, 5th April, 2016**

Present:-

Councillor Burrows (Chair)

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

*Matters dealt with under the Delegation Scheme

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

With regard to agenda item 8, Councillor Burrows wished to declare, that while not a pecuniary interest, that the solar panels on his home had been installed by ASG Ltd.

183 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bagley, Brown and A Diouf.

184 MINUTES**RESOLVED –**

That the minutes of the meeting of Cabinet held on 22 March, 2016 be approved as a correct record and signed by the Chair.

185 FORWARD PLAN

The Forward Plan for the four month period 1 April – 31 July, 2016 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

186 DELEGATION REPORT

Decisions taken by Cabinet Members during March were reported.

***RESOLVED –**

That the Delegation Report be noted.

**187 FUNDING TO VOLUNTARY AND COMMUNITY ORGANISATIONS
2016/17 - SERVICE LEVEL AGREEMENTS**

The Development and Growth Manager submitted a report seeking approval for a reduction in the funding made available to support voluntary and community groups in Chesterfield via Service Level Agreements (SLA's), in order to support the Council in being able to deliver a balanced budget.

In July, 2015 Cabinet agreed the allocation of funding to voluntary organisations for the period 2015/16; alongside this a recommendation was agreed that funding should be reviewed during the year with a view to making savings (Minute No.46 2015/16). In order to give the organisations holding SLA's with the council time to adjust to a potential reduction in grant funding, all were contacted in November, 2015 to advise that a reduction of funding was being considered and to ascertain as to what potential impact a reduction of funding would have on their service delivery. Meetings were subsequently held with all organisations to discuss how potential cuts in funding would impact on their respective delivery capabilities. It was noted that the meetings with the organisations affected had been positive, and that they were accepting of the Council's need to reduce funding as a response to the Government cuts made to its own funding.

It was proposed that a uniform cut of funding to all organisations of 10% should be made for 2016/17; the report also included information and considerations on how this reduction in funding could affect the services delivered by the organisations. The report noted that the proposed 10% reduction in funding for voluntary and community organisations was

significantly lower than the overall year on year budget cuts being experienced by Chesterfield Borough Council.

Members commended the excellent and valuable work carried out by voluntary and community organisations in Chesterfield and noted the importance of continuing to work closely with them in the future in order to deliver quality services to the people of Chesterfield.

***RESOLVED –**

1. That the level of funding for Service Level Agreements be reduced by £26,210 to £239,544 for 2016/17 onwards.
2. That the Service Level Agreements be developed with recipient groups (based on the outcomes as included in the pro-forma in Appendix 1 of the officer's report) following confirmation of the budget for 2016/17.
3. That authority to sign off the completed Service Level Agreements be delegated to the Cabinet Member for Health and Wellbeing.
4. That a re-prioritisation exercise be undertaken in 2016/17 to ensure that the Council is able to provide a balanced budget and continue to support existing and emerging community needs and Council priorities.

REASON FOR DECISIONS

To ensure that the future delivery of funding to Voluntary and Community Groups meets the priorities of the Council and the needs of the residents of Chesterfield within a realistic and sustainable budget.

188 RIGHT TO BUY SOCIAL MOBILITY FUND UPDATE

The Housing Manager submitted a report to provide an update on the Right-to-Buy Social Mobility Fund and to seek approval for the continuation of a scaled back local version of the Right-to-Buy Social Mobility Scheme for 2016/17.

In June, 2015 Cabinet approved the implementation of the Right-to-Buy Social Mobility Scheme (Minute No.11, 2015/16). 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. Chesterfield Borough Council accessed £200,000 of Government funding to offer the Right to Buy Social Mobility Scheme to those living in designated defective non-traditional property types, giving eligible households the opportunity to access £20,000 towards the cost of purchasing a home on the open market. Alongside the implementation of the Government's scheme, a local scheme offering an alternative to the Right-to-Buy in high demand areas of the Borough was also launched.

It was noted that despite targeted publicity regarding the government scheme, and a high number of initial enquiries, only two applications for the grant had been completed, and that the government had advised that the scheme would be closed from April, 2016. It was also noted that despite some initial interest from tenants the local Social Mobility scheme had had no uptake since its launch. The report advised that even with access to a £20,000 deposit many households had struggled to secure finance to purchase on the open market, and had therefore been unable to take advantage of the schemes.

It was proposed that despite the local scheme not meeting expectations, a scaled down version with reduced funding of £60,000 be offered in 2016/17. It was noted that as there were still some tenants interested in the scheme, the continued operation of a local scheme provided an opportunity to reduce the number of properties sold under Right to Buy, but that if the allocated budget had not been spent by the end of the current financial year, the scheme would be closed.

***RESOLVED –**

1. That the outcomes of the Right-to-Buy Social Mobility Scheme be noted.
2. That it be noted that the government backed Right-to-Buy Social Mobility Scheme has now closed.
3. That a scaled back local version of the Right-to-Buy Social Mobility Scheme be approved and implemented for 2016/17, and that the associated costs are met from the Housing Capital Programme.

REASONS FOR DECISIONS

To meet the Corporate Plan Objectives:

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

189 SOLAR PV MONITORING AND MAINTENANCE ARRANGEMENTS

The Housing Manager submitted a report requesting Cabinet approval for an exemption to be made to the Council's Contract Procedure Rules in order to enable the appointment of a new contractor to maintain, manage and monitor the performance of the Solar PV installations on the Council's Housing Stock.

In 2012 the council had awarded the contract for the installation of Solar Panels on Council house roofs, as well as the contract for their on-going management and maintenance to Nationwide Solar. In early 2015 the Council had been notified that Nationwide Solar had gone into receivership, and that subsequent attempts by officers to contact the official receivers to discuss arrangements in respect of the maintenance agreement had been unsuccessful.

As an interim solution A Shade Greener Maintenance Ltd (ASG Ltd), a Solar PV company based in Sheffield, had been approached to carry out repairs where systems appeared to be faulty. There had subsequently been discussions with ASG Ltd about entering into an on-going Maintenance, Management and Monitoring Arrangement with the council. The proposed Service Level Agreement with ASG Ltd. was appended to the officer's report, where it was noted that the proposed arrangement was on more favourable terms, and at a lower price than the arrangement with Nationwide Solar had been.

In order to have an effective maintenance arrangement in place as soon as was practicable it was proposed that the Council's Contract Procedure Rules be waived in order to directly award the maintenance, management and monitoring contract for Council Housing Solar PV installations to ASG Ltd. It was noted that if a waiver were not granted the contract would need to be openly tendered which could result in a delay of up to a further six

months before the systems were adequately managed, maintained and monitored.

***RESOLVED –**

That the Council's Contract Procedure Rules (Section 4.2.5), in respect of the procurement of a new contractor to maintain, manage and monitor the performance of the Solar PV installations on the Council's Housing Stock, be waived.

REASONS FOR DECISIONS

To contribute to the Council's Priorities of improving the quality of life for local people and providing value for money services.

JOINT CABINET AND EMPLOYMENT & GENERAL COMMITTEE

Tuesday, 5th April, 2016

Present:-

Councillor Burrows (Chair)

Councillors	T Gilby	Councillors	Blank
	Huckle		Elliott
	T Murphy		Simmons
	Ludlow		Davenport
	Serjeant		Dickinson
	J Innes		

Non-Voting Members

Councillors Hollingworth
Wall

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

10 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Bagley, Councillor Brown and Councillor Diouf.

11 MINUTES

RESOLVED –

That the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 9 February, 2016 be approved as a correct record and signed by the Chair.

12 WORKFORCE STRATEGY (B350)

The HR Manager submitted a report recommending for approval the Council's Workforce Strategy for 2015-19 and a review of Investors in People scheduled for June 2016 which would provide a further 18 months accreditation.

To support the achievement of the 2015-19 Corporate Plan, the Council's Workforce Strategy had been rewritten with priorities informed by the employee survey, council plan, Investors in People and workforce strategy group. The priorities included:

- Pay and reward
- Leadership, skills and capabilities
- Talent management
- Employee engagement
- Health and wellbeing

The strategy had been prepared to focus and guide activities and included a detailed action plan that would be regularly updated. A shorter summary with endorsements from the Cabinet Member for Business Transformation, Leader and Chief Executive, would be prepared for use as part of a wider communication approach to support delivery of the GPGS transformation programme. In addition, there would be further refinement and development of the intranet pages to support managers.

The headline measures in the strategy would be monitored by feeding in data from the annual employee surveys, employee performance and development interviews; and from the periodic weeks of workforce profiles and learning and development activities.

The report provided details on the next generation standard of the Investors in People Framework which provided for assessment against 9 key areas. The report suggested that there was potential for the same results to be achieved through embedding practices and outcomes into the workforce strategy and self-assessing against the standard as opposed to submitting the Council to external assessment and the associated costs of doing so. This would provide a more structured approach and evidence of key tangible success measures; however this would require further debate and discussion.

Once the strategy had been agreed, the timescales in the action plan would be reconsidered and more detail included for implementation and review. The strategy would be reviewed on a quarterly basis with an

annual report to Cabinet setting out progress against the Workforce Strategy and Action Plan.

The report also outlined the financial and equalities implications, and the potential risks with proposed actions to mitigate these.

***RESOLVED –**

- 1) That the Joint Cabinet and Employment and General Committee recommend that the Workforce Strategy be approved by full Council.
- 2) That the cost of reassessment against the liP standard in June 2016 and the review of ongoing liP assessment be approved.
- 3) That the Senior Leadership Team be asked to consider how best to provide opportunities for members of the Employment and General Committee to engage on a structured basis with the Council's employees.

13 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 items of business on the grounds that they 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 – Paragraph 1 on the grounds that it contained information relating to individuals.

14 CHANGES TO STAFFING IN THE CHESTERFIELD COMMUNITY SAFETY PARTNERSHIP (EC000)

The Policy and Communications Manager submitted a report recommending for approval a revised employee structure for the Chesterfield Community Safety partnership in order to ensure the continued sustainability of the partnership against a background of external funding reductions.

The report noted that the resourcing of the current employee structure of the Chesterfield Community Safety Partnership relied heavily on Police and Crime Commissioner (PCC) funding which was only guaranteed for 2015/16 and was likely to reduce significantly during the next PCC term beginning in June 2016.

Consultation had taken place with the various partner agencies which had confirmed that the current employee structure was not flexible and agile enough to respond emerging crime priorities. The report recommended a new staffing structure which included the deletion of two posts that were currently vacant. Other changes involved moving the ASB Officer role onto a permanent contract and creating a new role of Assistant Community Safety Officer to support the Community Safety Officer and ASB Officer.

The proposed structure had been co-designed with the full involvement of the Community Safety Officer and consultation had taken place with the ASB Officer. Discussions had also taken place with Community Safety partners and the relevant Trade Union; both had raised no further issues or concerns.

The proposed changes would significantly reduce the Council's reliance on external funding from £33,834 to £15,706, which was considered more sustainable as the latter sum would fall within Police and Derbyshire County Council mainstream budgets. In addition, if the new structure was implemented from 1 April, 2016 the Council would realise a saving of £7,858 for 2016/17 and a recurring saving of £3,231 for future years.

The report also outlined the potential risks involved in moving to the new staffing structure and the proposed actions to mitigate these.

***RESOLVED –**

- 1) That the proposed revised employee structure for the Chesterfield Community Safety Partnership be approved.
- 2) That the Community Safety Officer in consultation with the HR Manager be authorised to effect the appointment of staff to the new structure having regard to the Council's policies and protocols.

**COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY
COMMITTEE**

Tuesday, 22nd March, 2016

Present:-

Councillor Slack (Chair)

Councillors Borrell
Dyke

Councillors Simmons
Sarvent

Councillor Serjeant ++

Andy Bond, Town Centre Operations Manager ++
Anita Cunningham, Policy and Scrutiny Officer
Dianne Illsley, Community Safety Officer +
Brian Offiler, Committee and Scrutiny Coordinator

+ Attended for Minute Nos. 34, 35 and 36

++ Attended for Minute No. 39

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

No declarations of interest were received.

33 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jeannie Barr and Miles.

CRIME AND DISORDER COMMITTEE

For Minute Nos. 34, 35 and 36 the Committee sat as the Council's designated Crime and Disorder Committee, in accordance with Section 19 of the Police and Justice Act 2006.

34 **CABINET MEMBER FOR HEALTH AND WELLBEING - UPDATE AS CHESTERFIELD SCRUTINY MEMBER OF THE DERBYSHIRE POLICE AND CRIME PANEL**

The Cabinet Member for Health and Wellbeing, as Chesterfield Scrutiny Member of the Derbyshire Police and Crime Panel (PCP) was unable to attend the meeting but submitted the minutes of the meeting of the PCP held on 28 January, 2016 for the information of the Committee.

Members requested that the minutes of the most recent PCP meeting be included on future agendas of this Council's Crime and Disorder Committee.

The Committee questioned whether substitute Members were allowed to attend the PCP, and the Chair agreed to discuss this with the Cabinet Member.

RESOLVED –

- (1) That the minutes of the most recent Derbyshire Police and Crime Panel meeting be included on future agendas of this Council's Crime and Disorder Committee.
- (2) That the Chair discuss whether substitute Members were allowed to attend the Derbyshire Police and Crime Panel with the Cabinet Member for Health and Wellbeing.

35 **CABINET MEMBER FOR HEALTH AND WELLBEING - PROGRESS REPORT ON COMMUNITY SAFETY PARTNERSHIP**

The Community Safety Officer presented a report on the progress of the Community Safety Partnership (CSP) towards the delivery of the current Community Safety Action Plan refresh (2016/17), and to inform Members of the current crime trends.

A listing of community safety actions for 2016/17 which had been developed at the CSP multi-agency planning meeting in January, 2016 was attached to the report as Attachment A. The top five priority areas for the CSP had been identified as Anti-social Behaviour, Domestic Violence, Abuse and Sexual Violence, Safeguarding Adults, Safeguarding Children and Substance Misuse.

In addition community safety activity would continue as usual in the areas of Acquisitive Crime, Cyber Crime, Organised Immigration Crime, Human Trafficking and Exploitation (OICHTE), Organised Crime and Terrorism.

Objectives had been identified for each of the priority areas and a funding bid for £25,000 from the Police and Crime Commissioner to support the delivery of the action plan had been successful.

The CSP Plan (2016/17) was currently in draft form and would be published on the CSP website along with the Action Plan document once these had been formally approved. Copies would be circulated to Members of the Crime and Disorder Committee at that stage.

The CSP's performance to December 2015 as recorded by the Safer Derbyshire Research and Information Unit was attached to the report as Attachment B, and the performance to February 2016 was circulated at the meeting.

The data showed that reported crime in Chesterfield had reduced by 1% in the 12 months to February, 2016 compared with the previous 12 months. The largest reductions had been in respect of Shoplifting, Other Theft Offences and Theft from a Vehicle, whilst the largest increases had been in Violence with Injury, Non-Domestic Burglary and Violence without Injury. There had been a 3.2% reduction in calls for service relating to Anti-Social Behaviour compared to the previous 12 months. It was noted that the CSP had received its first 'community trigger' request in respect of anti-social behaviour and that this had been satisfactorily resolved.

It was confirmed that work was ongoing to identify the reasons for the increase in violent crimes to enable a targeted response to be developed.

It was noted that there had been a 7.3% reduction in drug offences, and it was explained that various actions had been taken to address these issues, including repossessing or closing properties used for the supply of drugs, protecting vulnerable people recruited by suppliers, temporarily closing the sensory gardens near the Town Hall and working with the Homelessness Service on the 'No 2nd Night Out' initiative.

The Community Safety Officer reported that it was hoped that an additional part-time staffing resource would be approved for the CSP in April, 2016.

In response to a question from Members, she was not sure how the CSP would be impacted by the current devolution proposals.

RESOLVED –

- (1) That the report be noted.
- (2) That the Community Safety Partnership Plan (2016/17) and Action Plan document be circulated to Members of the Crime and Disorder Committee once these had been formally approved.
- (3) That a further progress report on the Community Safety Partnership's Action Plan and Performance on crime data be provided at the next Crime and Disorder Committee.

36 SCRUTINY MONITORING REPORT (CRIME & DISORDER MATTERS)

The aspects of the Scrutiny recommendations monitoring form that related to Crime and Disorder matters were considered by the Committee.

In respect of the Committee's recommendation that a review be carried out of the decision to stop locking the park gates at night it was noted that the Community Safety Partnership had recommended that the gates at Queen's Park and at Eastwood Park, Hasland be locked at night as these were the parks where there was most potential for damage and where problems had been experienced last year.

It was confirmed that the Cabinet Member for Health and Wellbeing had been requested to take the views of the Committee expressed at the 24 November, 2015 meeting into account when producing final recommendations for decision on the future arrangements for the locking of park gates, but that a final decision had not yet been taken on this.

RESOLVED –

That the Scrutiny monitoring report be noted.

COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE

For the remaining items the Committee sat as the Community, Customer and Organisational Scrutiny Committee.

37 FORWARD PLAN

The Committee considered the Forward Plan for the period 1 April – 31 July 2016.

RESOLVED –

That the Forward Plan be noted.

38 WORK PROGRAMME FOR THE COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE

The Committee noted the list of items included on its current Work Programme.

The Policy and Scrutiny Officer explained that the Scrutiny Work Programming Action Day held on 8 March, 2016 involving Scrutiny Members, Cabinet Members, backbench Members and officers had identified a long-list of issues for potential scrutiny involvement. This long-list would be considered further at the next stage of the Scrutiny Work Programming Action Day to be held on 19 April involving Scrutiny and backbench Members. It was hoped that this would produce proposals for the Overview and Performance Scrutiny Forum to agree a Scrutiny Work Programme for 2016/17, which it was anticipated would replace the existing programme.

In response to a question from Members it was confirmed that there was currently a Scrutiny Committee for the Sheffield City Region Combined Authority, including a Scrutiny Member from Chesterfield Borough Council. The Centre for Public Scrutiny was working on the development of scrutiny arrangements in combined authorities, and it was hoped that such arrangements would be developed that reflected the local Scrutiny Committee role to avoid any duplication of work.

RESOLVED –

That the report be noted.

39 **CABINET MEMBER FOR TOWN CENTRE AND VISITOR ECONOMY - OUTSIDE MARKET RECONFIGURATION**

The Cabinet Member for Town Centre and Visitor Economy and the Town Centre Operations Manager presented a progress report on the feasibility study on Chesterfield's outdoor market, further to the progress report provided to the meeting of the Committee on 15 September, 2015.

The purpose of the study had been to analyse the existing operation of the market and to present a number of possible development options, with costs, to make the market a more attractive location for both traders and shoppers and to help to provide it with a sustainable future.

Following the September meeting of the Committee options in each of the three intervention levels (high, medium and low) had been further developed and budget costs calculated, ranging from £900,000 to £3 million, depending on the level of intervention, adopted design and materials used.

However, within the General Fund Capital Strategy and Programme, which had been approved by Council on 25 February, 2016, it had been identified that based on current forecasts there would be no surplus resources available to fund new schemes, including the market reconfiguration project, until 2017/18.

In addition there was a risk that any further significant capital expenditure in an area that included VAT exempt activities, including market rents, could cause the Council's prescribed VAT limit to be breached, resulting in the Council being unable to reclaim any of the exempt VAT. Until the VAT recovery implications were fully explored the reconfiguration project could not proceed.

It was confirmed that the Council remained fully committed to the reconfiguration project in order to increase occupancy levels on the outdoor market and had only deferred the decision to allow time to identify possible sources of external funding to carry out the proposed improvements in the medium to long term.

In the short term, the Markets Team was working together with traders and other town centre stakeholders to agree and implement a programme of lower level improvements with the objective of enhancing trading conditions, tackling the decline in footfall and reducing operating costs.

Following discussion at the Markets Consultative Committee the previous day, it was proposed to set up a Steering Group to progress such improvements.

Arising from questions and comments from Members the following issues were raised:

- Access for prams and mobility scooters could be improved by widening walkways and providing breaks in rows;
- Some rows of stalls would need to be temporarily removed for the Women's Cycle Tour of Britain event in June 2016;
- The aim to bring stalls currently on surrounding streets back in to the Market Place;
- The monthly Artisan Market was proving popular in providing a different kind of market and other specialist markets could be explored, such as a Youth Market, although the previous Continental Market had not proved to be sustainable;
- The importance of attracting a wider balance of traders, such as fresh food. The 'Love Your Local Market' fortnight in May would seek to encourage new traders;
- Consideration could be given to arranging themed areas within the market, such as food, clothing, etc.;
- Consideration could be given to encouraging entertainment, such as local bands, together with refreshment options;
- The use of New Square would need to be considered.

It was noted that some improvements would not be possible in the short term, such as portable stalls or improved water and electricity supply, and that the impact of short term measures on potential options in the medium and long term would need to be taken in to account.

The Committee expressed its appreciation of the work which had been undertaken on the feasibility study and by the Cabinet Member and officers, particularly by the Visitor and Cultural Services Manager.

RESOLVED –

That it be noted that due to the Council's current financial situation the open-air market reconfiguration project was deferred but remained a priority for the Council.

40 MINUTES

The Minutes of the meeting of the Community, Customer and Organisational Scrutiny Committee held on 24 November, 2015 were presented.

RESOLVED –

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