

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, 12 October 2016** at **5.00 pm** for the purpose of transacting the following business:-

1. To approve as a correct record the Minutes of the meeting of Council held on 7 September, 2016 (Pages 5 - 8)
2. Mayor's Communications.
3. Apologies for Absence
4. Declarations of Members' and Officers' Interests relating to items on the Agenda.
5. Public Questions to the Council

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

6. Petitions to Council

To receive petitions submitted under Standing Order No. 13

7. Questions to the Leader

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

8. Allocation of Seats to Political Groups and Committee Appointments - 2016/17 (Pages 9 - 14)

Report to be tabled at the meeting.

9. Constitution Updates (Pages 15 - 52)
10. Treasury Management Report 2015/16 and Monitoring Report 2016/17 (Pages 53 - 68)
11. Update on the General Fund Capital Programme (Pages 69 - 84)
12. Minutes of Committee Meetings (Pages 85 - 86)

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

- Appeals and Regulatory Committee
 - Employment and General Committee
 - Licensing Committee
 - Planning Committee
 - Standards and Audit Committee
13. To receive the Minutes of the meetings of Cabinet of 26 July and 20 September 2016 (Pages 87 - 96)
 14. To receive the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 26 July, 2016 (Pages 97 - 100)
 15. To receive and adopt the Minutes of the meetings of the Overview and Performance Scrutiny Forum of 14 June and 6 September, 2016 (Pages 101 - 118)
 16. To receive and adopt the Minutes of the meeting of the Community, Customer and Organisational Scrutiny Committee of 5 July, 2016 (Pages 119 - 126)
 17. To receive and adopt the Minutes of the meeting of the Enterprise and Wellbeing Scrutiny Committee of 2 August, 2016 (Pages 127 - 134)
 18. Questions under Standing Order No. 19

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

19. Notice of Motion under Standing Order No.21

Make fair transitional state pension arrangements for 1950s women

“The council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.

Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little or no personal notification of the changes. Some women had only two years notice of a six year increase to their state pension age.

Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these

women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute – it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.

The council calls upon the Government to reconsider transitional arrangements for women born on or after 6th April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.”

(Councillor Tricia Gilby)

By order of the Council,

A handwritten signature in black ink, appearing to read 'Huw Jones', followed by a period.

Chief Executive

Chief Executive's Unit,
Town Hall,
Chesterfield

4 October 2016

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COUNCIL

Wednesday, 7th September, 2016

Present:-

Councillor Brunt (The Mayor)

Councillors	Bagley	Councillors	Dickinson
	J Barr		A Diouf
	P Barr		V Diouf
	Bellamy		Flood
	Bingham		Hill
	Blank		Huckle
	Borrell		P Innes
	Brady		Ludlow
	Brown		Miles
	Burrows		A Murphy
	Callan		Perkins
	Caulfield		Serjeant
	D Collins		Simmons
	L Collins		Slack
	Davenport		Wall
	Derbyshire		

27 **MINUTES**

RESOLVED –

That the Minutes of the meeting of the Council held on 27 July, 2016 be approved as a correct record and be signed by the Chair.

28 **MAYOR'S COMMUNICATIONS.**

The Mayor referred to the following Mayoral engagements:

- Visiting the Brampton Potteries Festival;
- Attending the Parkside School Awards Ceremony at the Proact Stadium;

- Welcoming overseas guests to Chesterfield from Spain, Odisia in India and Darmstadt in Germany.

The Mayor provided an update on his fundraising activities which included entering a relay team from Chesterfield Borough Council into the Chesterfield Half Marathon on 2 October, 2016; the Mayor appealed for a fourth Member to complete the team.

29 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bexton, Brittain, Dyke, Elliott, P Gilby, T Gilby, Hitchin, J Innes, T Murphy, Niblock, Rayner, Redihough and Sarvent.

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

No declarations of interest were received.

31 PUBLIC QUESTIONS TO THE COUNCIL

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

“The Sheffield City Region devolution deal includes an elected mayor for the region and this is very unpopular with Chesterfield residents. Given the recent announcement from the Prime Minister’s office that devolution deals are now not necessarily dependent on the inclusion of an elected mayor, will CBC now reverse its decision to join the SCR and support a Derbyshire devolution deal which will still provide access to devolved funding, which will build on long-established administrative structures and mechanisms but which does not require ceding power over Chesterfield issues to the elected mayor in Sheffield?”

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

32 PETITIONS TO COUNCIL

No petitions had been received.

33 QUESTIONS TO THE LEADER

There were no questions.

34 DECISION REGARDING FULL MEMBERSHIP OF THE SHEFFIELD CITY REGION COMBINED AUTHORITY

The Chief Executive submitted a report to update members on the implementation of the Council's decision to apply to be a full constituent member of the Sheffield City Region Mayoral Combined Authority and to enable members to consider provisional independent analysis of the outcomes of the Sheffield City Region Devolution Consultation Exercise. The report also updated members on the legal action commenced by Derbyshire County Council against the Sheffield City Region Combined Authority seeking to challenge the Devolution Consultation Exercise.

Members had previously resolved to apply to be a full constituent member of the Sheffield City Region Combined Authority at the meeting of Council held on 6 April, 2016. In addition, Members delegated authority to the Chief Executive, in liaison with the Leader, to take the necessary further steps as part of the process to put into effect that resolution. In line with the statutory process, a Governance Review had been carried out and a Scheme of Governance drafted for the proposed Sheffield City Region Mayoral Combined Authority. The Chief Executive, in consultation with the Leader, made the delegated decision on 27 June, 2016 to endorse the publication of documents that formed the Governance Review and Scheme of Governance for a Sheffield City Region Mayoral Combined Authority for consultation.

The Chief Executive presented to Members the results of the consultation process which had taken place from 1 July to 12 August, 2016 which included the findings of the online questionnaire hosted, and independently analysed by Ipsos MORI as well as an analysis of Derbyshire County Council's consultation response. The summary of the outcomes of the consultation process concluded that, despite a widespread Derbyshire County Council led campaign against the proposals, there had been a good response and strong support for the devolution proposals in Chesterfield.

Members were asked to consider the recommendation that a planned submission for the expansion of the Combined Authority by Sheffield City Region Combined Authority area to include Chesterfield Borough to the

Secretary of State for the Department for Communities and Local Government be endorsed.

RESOLVED –

1. That Chesterfield Borough Council agrees to delegate authority to the Chief Executive in consultation with the Leader to consider the full analysis of the outcomes of the Sheffield City Region Devolution Consultation Exercise and any consequential revisions that may need to be made to the Governance Review and Scheme of Governance and, if appropriate, taking full account of that analysis and opinions expressed by members at the council meeting on the provisional independent analysis of the outcomes of the Sheffield City Region Devolution Consultation Exercise to:
 - a) endorse the planned submission by Sheffield City Region Combined Authority to the Secretary of State for the Department for Communities and Local Government of key documents relating to the establishment of a Sheffield City Region Mayoral Combined Authority; and
 - b) consent to the parliamentary order for the Sheffield City Region Mayoral Combined Authority to be laid.
2. That the legal challenge commenced by Derbyshire County Council against the Sheffield City Region Combined Authority seeking to challenge the Devolution Consultation Exercise be noted and that the Chief Executive, in consultation with the Leader and the Regulatory and Local Government Law Manager, be authorised to take any steps as appropriate in connection with the challenge.

35 QUESTIONS UNDER STANDING ORDER NO. 19

There were no questions.

For publication

Allocation of Seats to Political Groups and Committee Appointments – 2016/17

Meeting:	Council
Date:	12 October, 2016
Report by:	Democratic Services Manager

1.0 Purpose of report

The purpose of this report is to review the political balance of Committees in accordance with Section 15 of the Local Government and Housing Act 1989, following the notification to the Chief Executive of a change to political groups within Chesterfield Borough Council.

2.0 Recommendations

That the recent changes to the political composition of the Council be noted and that the following changes to the membership of committees as proposed by the political groups and shown at paragraph 4.1 be agreed.

3.0 Report details

Background

- 3.1 The Chief Executive was notified on 26 September, 2016 of a change to political groups within Chesterfield Borough Council. With effect from 5 October Councillor Jeannie Barr advised the Chief Executive that she was no longer a member of the Liberal Democrat Group and wished to be recognised as an Independent member.

3.2 The current composition of the Council is:

Labour:	38
Liberal Democrats:	8
UKIP:	1
Independent:	1

- 3.3 The last review of political balance took place at the Council's Annual meeting in April 2016. Wherever possible, Committees are constituted in accordance with the provisions of the Local Government and Housing Act 1989. In terms of political balance, resulting from Councillor Jeannie Barr's resignation from the Liberal Democrat Group, it has been necessary to review the political balance of Committees.
- 3.4 The Local Government and Housing Act 1989 Section 15, requires Council to formally approve the revised political balance and revised allocation of places to the political groups in accordance with that political balance.
- 3.5 A local authority is treated as divided into political groups where at least one political group, which comprises at least two Members, is in existence.
- 3.6 The Council is obliged to review the representation of political groups and the determination of the allocation of seats in a number of prescribed instances and at least on an annual basis.
- 3.7 A determination of the allocation of seats by the Council must give effect to the following principles which are set out in Section 15 of the Local Government and Housing Act 1989. The principles have to be applied in priority order as follows:-

(a) that not all the seats are allocated to the same political group;

(b) that the majority of seats are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;

c) subject to (a) and (b) above, that the total number of all seats

of the ordinary committees allocated to each particular political group reflects the group's proportion to the membership of the authority;

(d) subject to (a) – (c) above, that the number of seats allocated to a particular political group reflects that group's proportion of the membership of the authority.

- 3.8 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.
- 3.9 The effect of these principles is that, so far as practicable, seats should be allocated to the groups and individual members not in a political group in proportion to their membership as a whole, currently, Labour 38/48ths; Liberal Democrats 8/48ths, UKIP 1/48th and Independent 1/48th. Each of the calculations has been adjusted to ensure the total number of seats are apportioned.

Proposed allocations

- 3.10 Below is a table showing the proposed entitlements of the Groups. Where numbers appear in brackets they represent the change to the allocations agreed at the Annual Business Meeting of the Council held on 27 April, 2016.

Body	Majority Group	Lib Dem. Group	UKIP	Ind.
Planning Committee	12	3	0	0
Planning Sub Committee	2	1	0	0
Appeals and Regulatory Committee	11	3	1	0
Licensing Committee	12	1 (-1)	1	1(+1)
Employment and General Committee	5	1	0	0
Overview and Performance Scrutiny Forum	11	2 (-1)	0	1(+1)

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

4.0 Recommendations

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

Overview and Performance Scrutiny Forum

- removal of Councillor J Barr as a Liberal Democrat member
- addition of Councillor J Barr as an Independent member

Community, Customer and Organisational Scrutiny Committee

- removal of Councillor J Barr as a Liberal Democrat member
- addition of Councillor Niblock as a Liberal Democrat member

Licensing Committee

- removal of Councillor J Barr as a Liberal Democrat member
- addition of Councillor J Barr as an Independent member

Decision information

Key decision number	NA
Wards affected	ALL
Links to Council Plan priorities	To provide value for money services.

Document information

Report author	Contact number/email
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Sandra Essex	sandra.essex@chesterfield.gov.uk 01246 345227

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For publication

Constitution Updates

MEETING: Council

DATE: 12 October 2016

REPORT BY: Monitoring Officer

For publication

1.0 Purpose of report

1.1 To seek member approval for updates to the Constitution.

2.0 Recommendations

2.1 That the Constitution be amended to take account of the recommended changes in this report.

2.2 That the delegations reflecting the new Corporate Management Team structure be confirmed.

2.3 That the Constitution as amended be published.

3.0 **Background**

- 3.1 The Constitution is a key document, required by law, which sets out the principal powers, duties and procedures of the Council. It also sets out to whom decision making over the Council's various functions are delegated.
- 3.2 The current form of Constitution has been in place since the early 2000s and follows a government model proposed at the time. Most council constitutions follow a similar format, though some are now moving away from it.
- 3.3 The Constitution needs to be changed from time to time to ensure it reflects current practices, functions and structures and efficient working of the authority. This report recommends a range of changes reflecting current senior officer structure, and more efficient financial procedures and thresholds as well as some other relevant updates.
- 3.4 Various consequential amendments may need to be made to other parts the Constitution, numbering etc to ensure consistency and reflect these changes.

4.0 **Delegations**

- 4.1 The new CMT/SLT structure is now fully in place with all officers in post (with the Director of Resources to commence shortly). The Delegation Scheme in Part 3 of the Constitution has been updated to include reference to these new posts. These are already in place and do not amount to significant change to the Constitution, but flow from the restructure and confirms alignment of the delegations to the main responsibilities of the new senior officer structure. Members' confirmation of this update is sought.

The revised delegations are at:

<https://www.chesterfield.gov.uk/media/315643/constitution-part-three.pdf>

- 4.2 The opportunity has also been taken to seek approval for updates to some delegations in other respects, again to ensure efficient working and to reflect current practices and/or changed legal powers. These are set out in **Appendix C**.

5.0 Financial Thresholds and Procedures

- 5.1 The Chief Finance Officer carried out a thorough review of financial thresholds in the Constitution prior to retirement and made recommendations for an uplifting of thresholds to reflect current practices and acceptable financial limits. These have been considered by the Senior Leadership Team and the Corporate Management Team and the main changes are set out in Appendix A.
- 5.1 The Financial Procedural sections of the Part 4 of the Constitution were also reviewed by the Chief Finance Officer to reflect current and best practice. These revised documents are at Appendix B.

6.0 Human Resources/people management implications

- 6.1 The changes will enable more efficient working of the authority, reflecting the current structure and best practice. Officers and members will be able to operate within a clear framework.

6.0 Financial implications

- 6.1 The report proposes changes to financial thresholds within the Constitution to reflect appropriate levels for delegated authority. These thresholds have not been changed significantly, if at all, since the current Constitution was introduced in the early 2000s. The procedural changes reflect best practice and help bring financial practices up to date.

5.0 Legal and data protection implications

- 5.1 The Council must have a Constitution and this must be updated periodically to reflect current practices and decision making structures: it is a living document. Some changes flow from, eg changes in legislation or decisions made by the council or restructured posts replacing previous posts.
- 5.2 While the main changes are authorised by full Council, Council has previously delegated authority to Standards and Audit Committee to approve more routine Constitution changes.
- 5.3 The member and officer Constitution Working Group has considered how best to streamline and make more efficient the operation of the

Constitution. It is to consider further an enabling model, pushing decisions down to single members and officers wherever appropriate and practicable, to ensure the most efficient decision making at the authority. It is intended to submit a further report on these proposals to a future Council meeting.

6.0 **Equalities Impact Assessment (EIA)**

6.1 A preliminary EIA been carried out. The changes to not have any equalites implication and is not anticipated to have a disproportionate impact on any group. A copy of the EIA is attached at **Appendix D**.

7.0 **Risk management**

7.1 This report concerns updates to the Constitution to enable efficient and legal operation of Council decision making and to reflect current senior officer structure.

Description of risk	Impact	Likelihood	Mitigating Action
Constitution not reflect current officer structure	H	M	Regular review of functions and delegations and appropriate amendment.
Financial and other thresholds are no longer at appropriate levels, meaning that member decisions are necessary on matters which are more appropriate to be made by officers therefore leading to inefficient operation of the authority.	H	M	Increase officer delegations and adjust financial and other thresholds to reflect appropriate levels for the present times.
Sealing of documents is sometimes delayed when the Mayor and Vice Chair are not available. While this is	H	M	Adjust authority to seal documents so that in these circumstances two duly authorised signatories can attest

not usually a problem, rarely a document must be sealed and signed urgently, in order to be put in place.			the document instead of the Mayor/Deputy Mayor.
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8.0 **Alternative options and reasons for rejection**

- 8.1 **Do not change the Constitution:** The Constitution must be updated from time to time to reflect the current structure and legal functions and appropriate procedures. The Constitution is required by law and must be reviewed on a rolling basis.
- 8.2 **Do not change Financial thresholds:** If the recommended changes are not made the Financial procedures and thresholds would continue to operate as currently. Officers recommend the changes to enable more efficient operation of the authority.
- 8.3 **Do not make other recommended changes:** If the other recommended changes are not made those delegations would continue to operate as currently. Officers recommend the changes to enable more efficient operation of the authority.

9.0 **Recommendations**

- 9.1 That the Constitution be amended to take account of the recommended changes.
- 9.2 That the delegations reflecting the new Corporate Management Team structure be confirmed.
- 9.3 That the Constitution as amended be published.

10.0 **Reason for recommendations**

- 10.1 To confirm changes to reflect Corporate Management Team restructure, to seek authorisation for an uplift in some financial limits for delegations and to review financial procedures in accordance with modern best practice. Also to make changes to delegations for efficient working practices.

Decision information

Key Decision Number	NA
Wards affected	All
Links to Council Plan priorities	to provide value for money services

Document information

Report author	Contact number/email
Gerard Rogers	01246 345310 gerard.rogers@chesterfield.gov.uk
Background documents	
The Council's Constitution	
<i>This must be made available to the public for up to 4 years.</i>	
Appendices to the report	
Appendix A	Proposed changes to financial delegations
Appendix B	Amended Financial Procedure documents

Appendix A

Financial Changes

The significant suggested changes are summarised below.

Constitution - Part 2

Key decisions: changes are proposed to financial thresholds within the working definitions of Key Decisions as set out in paragraph 13.5.2 (page 43). These are to take account of the increase in financial levels of finance being dealt with at the authority:

A decision to vire more than £10,000 from one budget to another	<i>change to £50,000</i>
A decision to spend £50,000 or more from an approved budget	<i>change to £100,000</i>
A decision which would result in a saving of £10,000 or more to any budget Head	<i>Change to £50,000</i>
A decision to dispose of or acquire any interest in land or buildings with a value of £50,000 or more	<i>No change</i>
[the other working definitions do not have financial thresholds]	

Constitution - Part 3

1 It is recommended that a general delegation to Cabinet Members at G050L be changed to a delegation to relevant budget holders, with
so

*G050L To authorise capital or revenue spending (or capital receipts) of more than [£25,000] provided that **in relation to any item**, the spending or receipt:*

- *accords with Standing Orders and Financial Procedure Rules, and the Budget and Policy framework Procedure Rules AND*
- *accords with an approved policy or Cabinet decision AND*

- *is provided for in:
the annual revenue estimates, OR
an approved business plan OR
a supplementary estimate OR*

would become:

OFFICER DELEGATIONS: To any service manager who is the relevant budget holder:

[]D To authorise any capital or revenue spending (or receipts) contained in an approved budget.

2 With regard to the delegation to Cabinet Members at G080L:

Capital Programme

G080L To approve:

- *project evaluation reports*
- *post-project review reports required under Financial Procedure Rule 4.60*
- *reports on the additional cost of variations as required by Financial Procedure Rule 4.57.1 and 4.57.2 for projects within the overall responsibilities of the Cabinet Member concerned, where the project is:*

- *within the Capital Programme allocation approved by the Council, AND:*
- *worth less than £50,000, AND*
- *when completed likely to result in no additional revenue costs or to result in only minor additional revenue costs.*

It is recommended that the delegation be changed to a Cabinet delegation where the value is greater than £100,000 and an officer delegation to a member of SLT where the value is up to £100,000. This means that authority to make such decisions is now made either by Cabinet or officers.

Constitution – Part 4

The following procedure rules have been redrafted completely, updated and simplified (see attached) :

- the Budget and Policy Framework Procedure Rules (at page 58 in the current version)
- the Financial Procedure Rules (at page 84 in the current version) as the Finance Rules.

APPENDIX B

BUDGET AND POLICY FRAMEWORK PROCEDURES

1.1 Responsibilities for the budget and policy framework	###
1.2 Developing the budget and policy framework	###
1.3 Decisions outside the budget or policy framework.....	###
1.4 Urgent decisions outside the budget or policy framework.....	###

1.1 Responsibilities for the budget and policy framework

Full Council sets the budget and policy framework, the Cabinet and officers must act within it. The budget is the Council's overall budget. The Policy Framework includes the policies and strategies listed at Article 4 (Part 2) of this constitution.

1.2 Developing the budget and policy framework

- (a) The amount of consultation on the budget and policy framework must reflect the importance of the proposal. Consultation must include consultation with a scrutiny forum.
- (b) Any reports to the Cabinet must say what consultation there has been and what the results were. The Cabinet will consider the response to the consultation and draw up firm proposals. The report to full Council will reflect any comments made during the consultation and the Cabinet's response.
- (c) The Cabinet's proposals will go to full Council as soon as possible.
- (d) Full Council can:
 - Accept the Cabinet's proposals
 - Refer the proposals back to the Cabinet, or
 - Change the proposals, for example by adopting proposals of its own.
- (e) If full Council accepts the Cabinet's proposals without any changes, the decision will come into force immediately.
- (f) If full Council changes the Cabinet's proposals, it will be an in principle decision only.
- (g) The leader will be given a copy of an in principle decision. The in principle decision will come into force unless the leader objects in writing to the Monitoring Officer within five clear working days, giving reasons.
- (h) If the leader objects to an in principle decision, full Council will meet again within 10 further working days. At the meeting, full Council can accept the Cabinet's proposals or change them.
- (i) Full Council's decision will come into force immediately.
- (j) When full Council sets the budget, it will also say how much the Cabinet and specified officers can move between cost centres (see 18.10(b)). Any other changes must be made by full Council.

1.3 Decisions outside the budget or policy framework

- (a) The Cabinet, and any officers carrying out executive responsibilities can only take decisions if they are
- in line with the budget and policy framework
 - allowed under 1.4 (urgent decisions)
 - allowed under Financial Procedure Rules as summarised in Appendix 1 of the Rules.
 - necessary to obey the law or ministerial directions or government guidance.
- Any other decisions must be recommended to full Council.

- (b) The Cabinet or officers carrying out executive responsibilities will seek the Monitoring Officer or Chief Finance Officer's advice if it is unclear whether proposals are in line with the budget and policy framework.

1.4 Urgent decisions outside the budget or policy framework

- (a) The Cabinet or officers carrying out executive responsibilities can take a decision that is outside the budget or policy framework if:
- It is urgent
 - It is not practicable to arrange a full Council meeting
 - The chair of the relevant scrutiny forum agrees that the decision is urgent. (If the chair of the relevant scrutiny forum is absent, the Mayor can agree that the decision is urgent. If the Mayor is absent, the Deputy Mayor can agree).
- (b) The record of the decision must say why it was not practicable to arrange a meeting of full Council. It must also say that the chair of the scrutiny forum (or Mayor or Deputy Mayor) agreed that the decision was urgent.
- (c) The decision taker must take a full report to the next ordinary Council meeting explaining the decision. This must say why the decision was taken, why it was urgent and why it was not practicable to arrange a meeting of full Council. If the next meeting is within seven days of the decision being taken the decision taker will report to the next meeting after that.

18. FINANCE RULES

18.1 Responsibilities under the finance rules	XXX
18.2 Audit.....	XXX
18.3 Non-compliance with these Rules.....	XXX
18.4 Information and records.....	XXX
18.5 Budget Setting	XXX
18.6 Responsibility for Budget Decisions	XXX
18.7 Reserves and Provisions	XXX
18.8 Budgetary Control	XXX
18.9 Capital Strategy.....	XXX
18.10 Capital Programme Monitoring.....	XXX
18.11 Capital Project Approval	XXX
18.12 Capital Project Completion Reviews.....	XXX
18.13 Treasury Management.....	XXX
18.14 Asset Management	XXX
18.15 Ordering and Paying for Goods and Services	XXX
18.16 Contract Payments.....	XXX
18.17 Wages, Salaries and Pensions.....	XXX
18.18 Petty Cash.....	XXX
18.19 Income Collection.....	XXX
18.20 VAT and tax	XXX
18.21 Insurance.....	XXX
18.22 Risk Management.....	XXX
18.23 Money Laundering	XXX
18.24 Fraud and Corruption	XXX
18.25 Partnerships.....	XXX
18.26 External Funding.....	XXX

18.1 Status of and the responsibilities under the Finance Rules

The Finance Rules provide the framework for managing the authority's financial affairs. They apply to every Member and Officer of the authority and anyone acting on its behalf. The rules define the financial responsibilities of the full council, the Cabinet, Members and Officers. All Members and Officers have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, properly authorized, provides value for money and achieves best value.

(a) Responsibilities of the Chief Finance Officer

The Chief Finance Officer is responsible for regulating and controlling the finances of the Council and hence he/she shall, for the purposes of Section 151 of the Local Government Act 1972 and Section 114 of the Local Government Finance Act 1988, be responsible for the proper administration of the Council's financial affairs.

(b) Responsibilities of Service Managers

Service Managers are responsible for the financial management of their areas, they must:

- Ensure the highest standards of financial probity.
- Ensure compliance with the Finance Rules and any procedures or guidance issued by the Chief Finance Officer within their service area.
- Ensure that a proper scheme of delegation has been established in their area of responsibility and that it is operating effectively.
- Consult Internal Audit before making any changes to financial systems and procedures.
- Monitor monthly the overall financial position of their service area.
- Advise the Chief Finance Officer and relevant Cabinet member on issues/proposals that have a financial impact in their area.
- Provide information to the Council's auditors on a timely basis as required.
- Ensure that any audit recommendations are implemented within agreed timescales.

(d) Responsibilities of Line Managers

Line managers must make sure their staff understand and follow these Rules and any procedures and associated guidance issued by the Chief Finance Officer.

(e) Responsibilities of all Officers

Officers must be familiar with these Finance Rules and the Contract Rules and must understand how they affect their work. If any officer is unclear about these Rules, they must get advice before acting. They would normally get advice from their line manager but they can also talk to finance staff. Officers must ensure they are using the latest version of these Rules. This will always be the version in the Constitution

available on the intranet. Officers must show the highest standards of financial probity. As well as following these Rules, they must use their common sense and judgement.

18.2 Audit

(a) Internal Audit

In accordance with the Accounts and Audit Regulations the Council is responsible for ensuring an 'adequate and effective system of internal audit'. The Chief Finance Officer has responsibility for monitoring adherence to the Audit Plan. Audits will be carried out in accordance with CIPFA Guidelines. At the commencement of the financial year the Standards and Audit Committee will approve an audit plan for that year. On a quarterly basis the Standards and Audit Committee will receive an update report on the progress made in delivering the plan including progress on implementation of internal and external audit recommendations.

Service Managers must ensure that all the agreed recommendations in audit reports are implemented.

(b) External Audit

External Auditors review the Council's financial and management systems and report annually to the Standards and Audit Committee on the adequacy of the Council's internal controls. External Auditors have the right to inspect all records held by the Council.

The External Auditor undertakes an annual audit of the Council's Statement of Accounts, audits specified grant claims and reports annually on the Council's governance framework and delivery of value for money. The External Auditor has the right to inspect records and to ask for information and explanations. The Chief Finance Officer has overall responsibility for liaising with the external auditors.

18.3 Non-compliance with these Rules

If Officers suspect that these Rules have not been complied with, or they suspect fraud, corruption or poor value for money, they must tell their line manager (unless their line manager is involved). The Council's whistle blowing policy (Section 2 of the Constitution) has guidance on what to do if a line manager is involved. If these Finance Rules or the Avoiding Bribery Fraud and Corruption Policy have been breached, the Chief Finance Officer and/or the Monitoring Officer must be advised in writing by the line Manager as soon as possible.

18.4 Information and records

The Chief Finance Officer is responsible for the Council's accounting system, the form of accounts (including trading accounts) and the supporting financial records. The Chief Finance Officer will ensure that accounting records are sufficient to comply with the Accounts and Audit Regulations for the time being in force.

Service Managers must:

- Obtain the approval of the Internal Audit Manager before changes are made to existing financial systems or new systems acquired.
- Ensure that financial records are properly maintained and are held securely in accordance with the Council's Data Management Policies.
- Consult the Chief Finance Officer on proposals for establishing trading accounts.

18.5 Budget Setting

On an annual basis the Chief Finance Officer shall submit to Council a programme of capital expenditure and estimates of revenue income and expenditure for Council services for at least the proceeding four years. Council will approve the Council Tax for General Fund services and a weekly Council house rent for the ensuing year.

18.6 Responsibility for Budget Decisions

Responsibilities for budget decision are shown in the table below:

Cabinet Decisions	Full Council Decisions
Annual Budget Setting <ul style="list-style-type: none"> • Agreeing the strategy for setting fees and charges • Recommending the Local Council Tax Support Scheme to full Council • To recommend the planned use of reserves and delegation limits to full Council • Recommending the revenue budget and Council Tax to the full Council 	<ul style="list-style-type: none"> • Approving the Local Council Tax Support Scheme • Approving the use of reserves and delegation limits • Approving the revenue budget • Setting the Council Tax
Budget Monitoring & Changes <ul style="list-style-type: none"> • Monitoring delivery of financial performance • Recommending supplementary budget requests to full Council • Agreeing revenue budget transfers (virements) between services of between £50,000 and £100,000 that are in line with the Council's policy framework • Agreeing the use of reserves not included in the approved budget but within the delegated limits set each financial year. • Recommending the use of earmarked reserves for an unrelated purpose to the full Council. 	<ul style="list-style-type: none"> • Monitoring delivery of financial performance • Agreeing supplementary estimates to either the revenue or capital budgets • Agreeing budget transfers (virements) between services that are over £100,000 or breach the policy framework • Agreeing the use of earmarked reserves beyond the delegated limits set for the Cabinet or where there is a request to use an earmarked reserve for an unrelated purpose.
Capital Programme <ul style="list-style-type: none"> • Recommending the Capital Programme (General Fund 	<ul style="list-style-type: none"> • Agreeing or changing the Capital Programme (General

Cabinet Decisions	Full Council Decisions
<p>and Housing) to Full Council</p> <ul style="list-style-type: none"> • Agreeing virements within the approved Capital Programmes of between £50,000 and £100,000 (Senior Leadership Team to approve up to £50k) • Approving supplementary capital schemes which are fully funded from external sources and where there are no on-going revenue budget implications beyond those that can be accommodated within the delegates virement limits. 	<p>Fund and Housing)</p>
<p>Housing Revenue Account</p> <ul style="list-style-type: none"> • Recommending the Housing Rents and Business Plan to Full Council 	<ul style="list-style-type: none"> • Setting housing rents and agreeing the Housing Business Plan
<p>Treasury Management</p> <ul style="list-style-type: none"> • Reviewing the Treasury Management Strategy before it goes to Full Council 	<ul style="list-style-type: none"> • Agreeing or changing the Treasury Management Strategy
<p>Risk Management</p> <ul style="list-style-type: none"> • Recommending the Risk Management Strategy to full Council 	<ul style="list-style-type: none"> • Agreeing or changing the Risk Management Strategy
<p>Asset Management</p> <ul style="list-style-type: none"> • Recommending the Corporate Asset Management Plan to full Council • Recommending to the full Council transfer(s) of assets between the General Fund and Housing Revenue Account 	<ul style="list-style-type: none"> • Agreeing the Corporate Asset Management Plan • Agreeing asset transfers between the General Fund and Housing Revenue Account

18.7 Reserves and Provisions

The Chief Finance Officer shall establish reserves and provisions to meet known or estimated future liabilities.

There is a duty on the Chief Finance Officer to report on the robustness of the estimates and the adequacy of reserves when the Authority is considering its budget requirement and Members are required to have regard to this advice.

Service Managers must inform the Chief Finance Officer about potential future liabilities which they become aware of.

The relevant budget holder can incur expenditure covered by the planned use of Reserves included in the budget approved by the full Council. All other uses or Reserves should be approved as follows:

- The Senior Leadership Team/Cabinet can approve the use of earmarked reserves, for their originally intended purpose, within the delegated limits set by the full Council each financial year (**Appendix 1**).
- Any use of the Council's earmarked reserves beyond the delegated limits, or for an unrelated purpose, must be approved by the full Council.

The Chief Finance Officer can approve the use of Provisions where they are being used for their intended purpose (**Appendix 1**), otherwise full Council approval is required.

The details of these delegated decisions will be included in the next quarterly budget monitoring report to the full Council.

18.8 Budgetary Control

Ongoing budget management and control is necessary to ensure that approved budgets are used only for their intended purpose and accounted for and reported correctly and that Council services are delivered within budget.

(a) The following are the general principles of the budgetary control framework

- All budgets are assigned to a Service Manager who is accountable for the control and management of that budget in accordance with these Rules and any financial procedures or guidance issued by the Chief Finance Officer
- Service Managers will report on their budget on a regular basis to the Chief Finance Officer in a format and timeframe prescribed by the Chief Finance Officer.
- Service Managers will inform the Chief Finance Officer about any external grant applications and approvals and ensure that the grant conditions, including the claim submission dates, are met.
- The Chief Finance Officer will validate the information provided by the Service Managers and report periodically to relevant Officers and to the Cabinet on a quarterly basis. The report will include the projected outturn position, any associated risks and mitigating actions to be taken as well as the impact on future year budgets.
- The relevant Service Manager is the Officer accountable for authorising the commitment of resources against the budget.

(b) Virement Rules – Revenue

The overall budget is agreed by the Cabinet and approved by the Full Council. Senior Officers and budget managers are therefore authorized to incur net expenditure in accordance with the estimates that make up the budget for the current financial year.

The virement rules provide for the transfer of budgets within the financial year. A virement is a planned transfer of a budget for use in a different purpose to that originally intended.

A virement occurs when a budget is transferred from one subjective heading to another (for example from Supplies & Services to Transport expenditure) or from one service cost centre to another. Transfers within a subjective heading within the same cost centre are not defined as virements.

The scheme of virement enables budget holders to manage their budgets with a degree of flexibility and therefore to provide an opportunity to optimise their use of resources according to changing needs.

All virements must be notified in writing to the Chief Finance Officer.

The full Council approves the virement limits before the start of each financial year as part of the budget setting process. The current limits are shown in **Appendix 1**.

Service Managers should avoid supporting recurring expenditure from one-off sources of savings or income, or creating future commitments, including full-year effects of decisions made part way through a year, for which future resources have not been identified. On-going commitments must be met from within existing budgets.

Permanent virements would be addressed as part of the budgetary process for the following year or, where urgent, through the approval of the Cabinet and Council.

Revenue budgets may be vired to support capital expenditure. The rules concerning the virement of capital budgets are included in para. 18.10.

Full Council must agree any transfers between the General Fund and Housing Revenue Account.

(c) Supplementary Estimates

Where an item of overspend of revenue spend cannot be covered from virement then following consultation with the Chief Finance Officer and the Senior Leadership Team a supplementary estimate approval must be sought from the full Council.

The Cabinet and Senior Leadership can approve expenditure to be met from the Budget Risk Reserve or other appropriate reserve subject to the limits agreed by the full Council each year (**Appendix 1**).

The Cabinet, a committee of the Cabinet, or an individual Lead Member can make spending decisions which are contrary to or not in full accordance with the budget approved by the full Council if the decision is a matter of urgency. However, the decision may only be taken if:

- i) It is not practical to convene a quorate meeting of the full Council; and

- ii) The Chair of the Scrutiny Board or the Mayor or Deputy Mayor, in that order subject to availability, agrees that the decision is a matter of urgency.

Following the decision, a report will be provided to the next available full Council meeting explaining the decision.

(d) Carry Forward of Budget Underspends

Service Managers should submit carry forwards requests to the Senior Leadership Team for initial consideration before they are submitted to the Cabinet for final approval.

Requests will only be considered where there is an underspend on a Service's overall controllable budgets (i.e. excluding capital and support service recharges) and where the budget is to be used to finance one-off type expenditure in the following financial year.

18.9 Capital Strategy

The Chief Finance Officer will prepare a Capital Strategy which:

- Sets out the principles the Council will follow in its capital planning and management.
- Outlines the methodology for inclusion of schemes within the Capital Programme.
- Sets out the arrangement for management of capital schemes.

The Capital Strategy will be reviewed each year by the full Council at the same time as the Capital Programme is approved. The Capital Programme will detail the capital schemes to be undertaken over the following four financial years and how those schemes will be funded.

18.10 Monitoring of the Capital Programme

The Capital Programme is approved as part of the Council's annual budget setting process. Monitoring of the Capital Programme will be undertaken by the Chief Finance Officer in conjunction with Project Managers and associated Service Managers. A report will be submitted to relevant Officers periodically, and to the Cabinet on a quarterly basis, setting out the projected outturn and

progress of schemes including slippage, under and overspends together with any proposed mitigating actions.

The Cabinet can approve supplementary capital schemes provided they are fully funded from external sources and there are no on-going revenue budget implications.

Capital expenditures may only be incurred if:

- Budgetary provision has been made within the approved Capital Programme
- Project Evaluation report approval, if required, has been given (para. 18.11). This can take place either before or after the full Council has approved the inclusion of the scheme in the Capital Programme, but must be concluded before contracts are awarded. The Chief Finance Officer must be consulted on the draft Project Evaluation reports before they are presented for approval. The Senior Leadership Team can give project approval for schemes up to £100k and projects over £100k require Cabinet approval.
- The Contract Rules have been complied with.

Where it is anticipated that the budget for a capital project will be overspent against its approved budget the relevant Service Manager will be responsible for notifying the Chief Finance Officer. Overspend up to £50,000 may, with the approval of the Senior Leadership Team, be financed by virement from other schemes' underspending within the approved Capital Programme. Where monies cannot be vired from other schemes the projected overspend must be reported to the Cabinet and subsequently full Council requesting a supplementary estimate if required.

Where it is not possible for a scheme to progress in a particular year the Senior Leadership Team can approve the slippage of the balance of the approved capital budget for a scheme to future years.

18.11 Capital Project Evaluation Approval

Project approval must be obtained for projects in accordance with the following limits:

- Up to £100,000 – by the Senior Leadership Team.
- £100,000 and over – Cabinet

The project approval report must include:

- A description of the scheme which is sufficient to give an understanding of what the scheme involves.
- The aim of the project and any other ways of achieving it
- Effects on staffing
- Legal, contractual and prudential borrowing code implications
- If the Council is acting through an agent or partnership, legal advice on whether it has the power to act in this way
- Consultation undertaken.
- The estimated amount and timing of any capital and revenue spending, any ongoing effect on revenue, and whether this spending is included in the budget.
- The anticipated outcomes.
- A risk assessment of the proposal.
- Any sustainability, environmental, equalities considerations.

18.12 Capital Project Completion Reviews

When a discreet project is completed the relevant Service Manager must undertake a Post Implementation Review. Recurring programmes such as Decent Homes, and Disable Facilities Grants should be subject to a review at least every three years. The review should identify if the original budget, timescales and outcomes were achieved and if there are any lessons learnt that can be applied to improvement the delivery of future projects. The timing of the review will depend on when the outcomes can be fully evaluated. The review reports are to presented to:

- a) The Senior Leadership Team and Financial Planning Group for projects costing up to £100,000; and
- b) The Cabinet for projects costing £100,000 or more.

18.13 Treasury Management

(a) Treasury Management Strategy

The Chief Finance Officer will produce and submit the Treasury Management Strategy to the Cabinet for recommendation to full Council. The Strategy will set out the Council's treasury plans for the next year (including any prudential borrowing

plans). The Strategy will include a list of organisations the Council may borrow from and lend to and the maximum individual amounts it may borrow or lend. The Strategy must be agreed by full Council.

(b) Day-to-day Treasury management Operations

The Chief Finance Officer is responsible for day-to-day treasury management operations. These will follow the Treasury Management Strategy, and ensure that:

- All borrowing and investment complies with the Council's Treasury Management Strategy and the Chartered Institute of Public Finance and Accountancy's code of practice on treasury management
- All borrowing and lending is done in the name of the Council
- As a minimum a half yearly and annual update of treasury management activity will be reported to the Cabinet and the Standards and Audit Committee.

(c) Bank Account

Only the Chief Finance Officer or the Deputy S151 Officer may open a bank or building society account on behalf of the Council. The Chief Finance Officer is responsible for managing all accounts.

18.14 Asset Management

(a) Responsibilities of Corporate Property Adviser

The Corporate Property Adviser (being the Head of Contract (Keir) or other nominated property advisor) will:

- Produce guidelines for acquiring, managing and disposing of assets
- Make sure the Council's records include any money from sales
- Make sure the Council's records do not include the value of any assets that have been disposed of.

(b) Register of Fixed Assets

The Chief Finance Officer will keep a register of all fixed assets worth more than £10,000. Service Managers must report any acquisitions or disposals so that this can be kept up-to-date. Every year the Chief Finance Officer in conjunction with the Corporate Property Adviser will check that the assets are still shown at the right value, that they have a suitable asset life and that they have been properly depreciated.

(c) Disposing of assets (except land)

Subject to consultation with the Chief Finance Officer, Service Managers can dispose of assets worth up to £10,000. All disposals (including land) must be notified to the Chief Finance Officer.

(d) Arranging leases

The Chief Finance Officer must approve all leases for non-property items.

18.15 Ordering and Paying for Goods and Services

The Chief Finance Officer shall ensure that there are proper procedures and controls for ordering and paying for goods and services. Any new systems for orders or payments must be agreed by the Chief Finance Officer. Service Managers must ensure that:

- (a) Official orders (using the agreed corporate order form) are issued for all goods and services prior to receipt. Exceptions to this rule are:
 - (i) Utility bills
 - (ii) Payroll cheques
 - (iii) Staff expenses
 - (iv) Subscriptions
 - (v) Grants
 - (vi) Refunds
 - (vii) Compensation payments
 - (viii) Payments of rent for privately leased properties
- (b) Orders for goods and services must only be issued where the expenditure is provided for within the approved

budget or is covered by an appropriately approved virement or a supplementary estimate.

- (c) Official orders must indicate clearly the nature and quantity of the work or services required and also the financial commitment.
- (d) The authorization limits for requisitions and payments are:

Authoriser	Limit
SLT	Above £25,000
CMT	Up to £25,000
Budget Holders	Up to £2,500

- (e) Service Managers must also ensure:
 - That staff involved in payment processing are adequately trained.
 - That there is adequate separation of duties between staff ordering, receiving and approving invoices for payment.
 - That suppliers are advised that the Council's preferred means of payment is by bankers automated credit (BACS) and that remittance advices should be sent via email.
 - That only goods and services that have been received, examined and approved as to their quality and quantity or the work or service has been satisfactorily performed are paid for and that the prices, arithmetic and budget allocation are correct.
 - That payments are timely and made within the Council's agreed terms of business, unless the invoice is in dispute.

(e) Responsibilities of Service Managers

Service Managers are responsible for their service areas' orders and for ensuring that invoices are appropriately approved. They must make sure that Officers who order and authorise invoices for payment have been properly trained and that there are adequate separation of duties between order and approval for goods.

Officers must also have regard to the guidance on the intranet in relation to the ordering and paying for goods and services.

18.16 Contract Payments

The Chief Finance Officer will keep a register of interim payments made under formal contracts. The register will include any other payments and related professional fees.

The Property Procurement and Contracts Manager will let the Chief Finance Officer have, as soon as possible, full details of contracts entered into by the Council.

Payments to contractors will be made only after certificates have been issued by the Service Manager or other officer authorised by him/her. The form of certificates will be approved by the Internal Audit Manager.

Variations to contracts must be authorised by the responsible Service Manager. The responsible Service Manager will issue to the contractor an official variation order in writing specifying the variation and the basis of charge. The responsible Service Manager will calculate the financial effect of the variation and maintain a record showing his/her up-to-date estimate of the revised contract sum.

The Service Manager must report in writing to appropriate member(s) in accordance with Part 3 of this Constitution: -

- If the original contract sum is increased by more than 10%, after allowing for any reductions in that sum;
- Where the estimated cost of any individual addition to the contract sum exceeds 10% of the original contract sum.

In exceptional circumstances where Service Manager have not been able to report items as above, the Chief Finance Officer will nevertheless pay any increases in costs over the contract sum, which have been certified by the responsible officer, in recognition of the Council's contractual obligations. However a report must still be submitted to the appropriate Member(s).

The Internal Audit Manager will, as far as s/he considers it necessary, examine contract final accounts. S/he can make whatever enquiries s/he needs to satisfy himself/herself that the accounts are accurate.

Within fifteen months of the completion of a contract, the responsible Service Manager and the Chief Finance Officer must report to the appropriate Member(s) on the final account.

- The report should compare the actual costs with those in the approved project evaluation report and should indicate reasons for variations.
- Final accounts should refer to the overall costs of schemes including the contract works element, design, supervisory, land and landscaping costs, etc.
- For capital receipt and revenue producing schemes, the report should also give a comparison of actual and anticipated receipts and identify any anticipated delays.

Final certificates (i.e. for final payment less retention monies) should not be issued until final accounts have been examined by the Internal Audit Manager. In cases where final accounts exceed original contract sums as adjusted for approved variations, final certificates should not be issued until the final amounts have been approved by the appropriate Member(s). Specific provision should be made for this in contract documents.

Where the completion of a contract is unreasonably delayed by the contractor, the Service Manager involved will, after consultation with the relevant Service Manager in Legal Services, take appropriate action to claim for liquidated damages.

Performance bonds will not be released until Certificates of Practical Completion have been issued.

In cases where contractors have gone into liquidation/bankruptcy or have otherwise failed to fulfil their contractual obligations, the approvals of the relevant Service Manager in Legal Services and the Internal Audit Manager must be obtained before contract bonds are released.

18.17 Wages, Salaries and Pensions

The Council has appointed a contractor to be responsible for paying all wages, salaries and expenses, including councillors' allowances.

Service Managers must advise the Contractor on a timely basis of any changes to staff pay and any deductions that need to be made, in particular:

- Appointment, resignations, dismissals, suspensions, secondments and transfers
- Long term absences from duty for sickness or other reasons apart from approved leave
- Changes in remuneration, other than normal increments and pay awards

- Information necessary to maintain records for service for superannuation, income tax, national insurance and sickness or maternity benefit

All salaries and wages and allowances will be paid into an employee's or member's bank account.

18.18 Petty Cash

The Chief Finance Officer will oversee the system of petty cash floats and may provide petty cash advances for such officers of the Council as may need them. Floats will only be topped up when a proper claim is made with receipts for all items. The Chief Finance Officer will give detailed guidance on petty cash.

18.19 Income Collection

(a) Responsibilities of the Senior Leadership Team

To ensure that appropriate arrangements are in place to safeguard the Council's resources

(b) Responsibilities of Chief Finance Officer

The Chief Finance Officer is responsible for ensuring that systems are in place to ensure that all income is identified, collected, receipted and promptly banked.

(c) Responsibilities of Service Managers

Service Managers must have robust processes in place for dealing with income collection in their service area where required. There must be extra controls in service areas that collect cash or cheques. Service Managers must ensure that:

- They raise invoices as soon as reasonably practical for all goods and services provided on credit.
- They follow the systems and procedures laid out by the Chief Finance Officer.
- Officers are suitably trained.
- Official receipts are always given.
- Proper records are kept.
- Money is banked on the day it is received or as soon as possible thereafter.
- VAT is properly accounted for.

Service Managers must have effective systems for monitoring income due to their service area. The Chief Finance Officer must be advised if income targets are unlikely to be achieved and must be advised of any cases of financial impropriety.

(d) Writing off debt

Amount for any one debtor in any one year	Approved By
Up to £2,000	Customer Services Manager (Arvato) in consultation with the relevant Service Manager
£2,000 & £5,000	Chief Finance Officer and Customer Services Manager (Arvato) in consultation with the relevant Service Manager
£5,000 to £50,000	Executive Member
Above £50,000	Cabinet

(e) Cancelling debt

Debts can only be cancelled if they have been raised by mistake. All cancellations over £2,000 must be agreed by the Chief Finance Officer.

18.20 VAT and tax

The Chief Finance Officer is responsible for keeping tax records, advising on tax, making tax payments, receiving tax credits and submitting tax returns. The Chief Finance Officer will advise Officers on the appropriate records to be maintained.

18.21 Insurance

The Chief Finance Officer will be responsible for establishing adequate insurance cover for the Authority including the amount of excess and the extent to which self-insurance is undertaken.

Service Managers must:

- assist in the annual review of insurance and advise the Chief Finance Officer of changes in insurable risks

- process insurance claims in accordance with procedures laid down by the Chief Finance Officer

18.22 Risk Management

The key responsibilities in relation to Risk Management are:

- (a) **Full Council** – to approve the Policy and Strategy.
- (b) **Cabinet** – to recommend the Policy and Strategy to the full Council and monitor implementation.
- (c) **Standards & Audit Committee** – review the effectiveness of the arrangements.
- (d) **Senior Leadership Team & Corporate Management Team** - to review and update the Corporate Risk Register.
 - To ensure compliance with the Risk Management Strategy

(b) Responsibilities of the Chief Finance Officer

- To periodically review and present for adoption the Risk Management Strategy.
- To present monitoring reports in accordance with the terms of the adopted Risk Management Strategy.
- To provide advice to officers and councillors on risk management
- To provide and facilitate training to officers and members on risk management.

(c) Responsibilities of CMT & Service Managers

- Identify and manage risk in their service areas
- Have contingency plans for major risks
- Advise the Chief Finance Officer of any risk that could result in losses or claims against the Council

18.23 Money Laundering

The Council has procedures for checking the recording the intentions of the people and organisations it does business with and for reporting suspected money laundering.

The Chief Finance Officer is the appointed Money Laundering Officer and as well as ensuring that there are procedures in place to combat money laundering he/she is required to maintain the review the Council's Anti Money Laundering Procedures.

Officers must not:

- Conceal, disguise, convert, transfer or remove anything gained through crime.
- Tip off a criminal or suspect
- Assist money laundering

18.24 Fraud and Corruption

The Internal Audit Manager will develop and maintain an Anti-Fraud and Corruption Strategy for approval by the Standards and Audit Committee. Staff and Members should report any concerns about financial irregularities to the Internal Audit Manager.

18.25 Partnerships

The **Cabinet** is responsible for approving delegations, including frameworks for partnerships. The delegations are set out in Part 3 of the Constitution. Where functions are delegated, the cabinet remains accountable for them to the full council.

The **Chief Finance Officer** must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory. He or she must ensure that the risks have been fully appraised before agreements are entered into with external bodies.

Service Managers are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies and that all such agreements and arrangements are properly documented.

18.26 External Funding

The Chief Finance Officer must be advised on a timely basis of any application for external funding by the relevant Lead Officer prior to it being submitted.

The Lead Officer must provide such information as requested by the Chief Finance Officer, including copies of proposed agreements and conditions of grant and any financial implications (including match funding requirements or on-going revenue costs).

All external applications must be authorized by the Chief Finance Officer prior to their submission by the Authority.

The Chief Finance Officer must be notified of the outcome of external funding applications at the earliest opportunity and successful external funding applications will be reported to members as part of the normal budget monitoring reports or by a report seeking project approval.

The Chief Finance Officer is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Council's accounts.

The Service Manager responsible for the Lead Officer must ensure that all grant conditions are met and that there is a report made to the Chief Finance Officer if there is any risk of grant conditions not being met.

APPENDIX 1

DELEGATED LIMITS

The delegated limits are to be approved by the full Council each financial year in the Budget Setting report.

All delegated decisions are to be reported to the Chief Finance Officer for inclusion in the next budget monitoring report to the full Council.

1.0 Use Of Reserves And Provisions (Finance Rule 18.7)

	Chief Finance Officer	Senior Leadership Team	Cabinet	Council
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	Chief Finance Officer	Senior Leadership Team	Cabinet	Council
General Fund Reserves	-	<p>In accordance with the intended use of the reserve. For invest-to-save type projects with a pay-back period within 12 months. For each reserve:</p> <ul style="list-style-type: none"> • An individual project limit of £25k; & • An aggregate limit for the financial year, the lower of, £100k or 50% of the opening balance. <p>Provided it does not take the balance below any minimum level set by the full Council (e.g. minimum working balance).</p>	<p>In accordance with the intended use of the reserve. For invest-to-save type projects with a pay-back period within 3 years. For each reserve:</p> <ul style="list-style-type: none"> • An individual project limit of £50k; & • An aggregate limit for the financial year, the lower of, £150k or 50% of the opening balance. <p>Provided it does not take the balance below any minimum level set by the full Council (e.g. minimum working balance).</p>	<p>If above the delegated limits;</p> <p>If to be used for a purpose other than that for which the reserve was established; or</p> <p>If it takes the reserve balance below the approved minimum level.</p>
HRA Balance	-	<p>Individual projects up to £50k.</p> <p>Aggregate annual limit of</p>	<p>Individual projects up to £100k.</p> <p>Aggregate annual limit of</p>	<p>If above the delegated limits;</p> <p>If to be used for a purpose other than that for which the reserve was</p>

	Chief Finance Officer	Senior Leadership Team	Cabinet	Council
		£200k. Subject to maintaining the minimum balance approved by the full Council.	£300k. Subject to maintaining the minimum balance approved by the full Council.	established; or If it takes the reserve balance below the approved minimum level.
Provisions E,g. insurance and Transport Company Pensions	100% - provided used for its intended purpose.	-	-	If to be used for a purpose other than that for which the provision was established.

2. Virement Limits (Finance Rule 18.8b)

Limit	Approved By
Within CMT areas of responsibility to a maximum of £10,000.	CMT Mangers in consultation with the Chief Finance Officer
Transfers within or between CMT service areas to a maximum of £50,000.	Senior Leadership Team
Transfers within or between CMT service areas from £50,000 to £100,000.	Cabinet
Transfer above £100,000	Council

APPENDIX C

Other changes sought

These changes are:

Authority to grant Leases

- **Currently** there is an officer level delegated authority to grant leases of non-housing land up to 3 years in length (Part 3 G300D – page 88 and definition of Short-Term Letting on page 15). Leases in excess of this currently require approval from the Deputy Leader/Cabinet Member for Planning.

Approval is sought for delegated authority for officers to grant leases of up to 5 years. This reflects the market norm and helps the Council secure its revenue streams. There would be fewer reports for the Cabinet Member to consider and more efficient working of the non-housing letting process. Where appropriate the terms of the lease could provide for a rent review and break option for the tenant in the third year.

Sealing of Documents

- **Currently** all Council documents executed under seal must be signed by the Mayor (or Deputy Mayor) plus an Authorised Signatory (usually a Council solicitor).
- **Approval is sought** for authority, in the very rare instances of the absence of both the Mayor and Deputy Mayor or in cases where a document must be completed urgently, for the sealed document to be signed by two authorised signatories (ie no Mayoral signatory). Authorised signatory will mean the Local Government and Regulatory Law Manager or any other person authorised by him/her in writing.

APPENDIX D

Equalities Impact Assessment

Chesterfield Borough Council

Equality Impact Assessment - Preliminary Assessment Form

The preliminary impact assessment is a quick and easy screening process. It should identify those policies, projects, services, functions or strategies which require a full EIA by looking at negative, positive or no impact on any of the equality groups.

Service Area: Legal

Section: Legal

Lead Officer: Monitoring Officer

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

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

Existing ☐

Changed ☒

New/Proposed ☐

Q1 - What is the aim of your policy or new service?

The Constitution needs to be changed from time to time to ensure it reflects current practices, functions and structures and efficient working of the Council. The proposal recommends a range of changes reflecting current senior officer structure, and more efficient financial procedures and thresholds as well as some other relevant updates.

Q2 - Who is the policy or service going to benefit?

The updates will support the efficient working of the Council.

Q3 - Thinking about each group below, does, or could the policy, project, service, function or strategy have an impact on protected characteristics below? You may also need to think about sub groups within each characteristic e.g. older women, younger men, disabled women etc.

Please tick the appropriate columns for each group.

Group or Protected Characteristics	Potentially positive impact	Potentially negative impact	No impact
Age – including older people and younger people.			✓
Disabled people – physical, mental and sensory including learning disabled people and people living with HIV/Aids and cancer.			✓
Gender – men, women and transgender.			✓
Marital status including civil partnership.			✓
Pregnant women and people on maternity/paternity. Also consider breastfeeding mothers.			✓
Sexual Orientation – Heterosexual, Lesbian, gay men and bi-sexual people.			✓
Ethnic Groups			✓
Religions and Beliefs including those with no religion and/or beliefs.			✓
Other groups e.g. those experiencing deprivation and/or health inequalities.			✓

If you have answered that the policy, project, service, function or strategy could potentially have a negative impact on any of the above characteristics then a full EIA will be required.

Q4 - Should a full EIA be completed for this policy, project, service, function or strategy?

Yes ☐
No ☒

Q5 - Reasons for this decision:

The updates are not anticipated to have disproportionate impact on any groups.

Please e-mail this form to the Policy Service before moving this work forward so that we can confirm that either a full EIA is not needed or offer you further advice and support should a full EIA be necessary.

For Publication

TREASURY MANAGEMENT ANNUAL REPORT 2015/16 AND MONITORING REPORT 2016/17

Meeting: Council

Date: 12 October 2016

Report by: Acting Chief Finance Officer

For publication

1.0 Purpose of report

- 1.1 To consider the Annual Treasury Management Report for 2015/16.
- 1.2 To consider the Treasury Management activities for the first five months of 2016/17.

2.0 Recommendations

- 2.1 That the **Council** is recommended to:
 - (i) Approve the outturn Prudential Indicators for 2015/16;
 - (ii) Approve the treasury management stewardship report for 2015/16;
 - (iii) Note the treasury management position for the first five months of 2016/17.

3.0 Background

- 3.1 The Council's Treasury Management Strategy requires the full Council to receive three treasury reports each financial year; the Strategy report before the start of each financial year, an annual report for the previous financial year and a mid-year review for the current year.
- 3.2 The Annual Report for 2015/16 is attached at Annexe 1. The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council is required to comply with both Codes through Regulations issued under the Local Government Act 2003.
- 3.3 Following the Icelandic banks collapse in 2008 the regulatory framework places a much greater emphasis on the review and scrutiny by Members of treasury management activities. The attached report provides details of the treasury management activities in 2015/16 and confirms compliance with the Council's approved policies.
- 3.4 This report and its recommendations were considered by the Standards and Audit Committee at its meeting on 21 September, 2016 where it resolved that the report and its recommendations be supported.

4.0 **Summary of the Annual Report**

- 4.1 During 2015/16, the Council complied with its legislative and regulatory requirements. The key actual prudential and treasury indicators detailing the impact of capital expenditure activities during the year, with comparators, are as follows:

Actual prudential and treasury indicators	2014/15 Actual £'000	2015/16 Revised £'000	2015/16 Actual £'000
Actual capital expenditure	23,425	30,869	26,480
Capital Financing Requirement:			
- General Fund	13,627	14,796	14,450
- HRA	138,482	136,405	136,405
- Total	152,109	151,201	150,855

Actual prudential and treasury indicators	2014/15 Actual £'000	2015/16 Revised £'000	2015/16 Actual £'000
External debt	140,046	139,317	137,659
Investments – under 1 year	20,896	23,387	21,871
1 year and above	3,266	-	3,270
Net borrowing	115,884	115,930	112,518

4.2 Other prudential and treasury indicators are to be found in Annexe 1. The Chief Finance Officer also confirms that borrowing over the medium term is only undertaken for a capital purpose and the statutory borrowing limit (the authorised limit), was not breached in 2015/16.

4.3 The financial year 2015/16 continued the challenging environment of low investment return. There was a large differential between borrowing and investments rates during the year.

Investments – In the first quarter of 2015/16, our external fund manager Investec announced their withdrawal of services to the local government sector and in July, the £21m portfolio managed by them was returned to the Council. Of this, £14.6m was returned directly to the Council and was then invested in an Enhanced Money Market fund by the in-house team. The remainder, related to two investments with some time to run to maturity and these were transferred into a custodian account with King Shaxton Limited, the leading supplier of transferrable securities to UK Local Authorities. A review of the strategy for the longer term management of our investments will be undertaken during 2016/17.

The in-house team managed average balances of £12.9m earning an average rate of return of 1.18%.

Borrowing – in terms of activity during the year on the Council's debt portfolio:

- No new long term borrowing was undertaken; &
- Loan repayments of £2m were made.

5.0 Mid Year Review 2016/17

5.1 Annual Investment Strategy

In accordance with the Cipfa Code and the Council's Investment Strategy, the investment priority is to ensure security and liquidity of capital, and to obtain an appropriate level of return which is consistent with the Council's risk appetite. In the current economic climate with the Bank Rate having recently been reduced to just 0.25%, investment returns are at a historically low level. The continuing uncertainty of economic recovery and the geo-political uncertainties, prompts a low risk and short term strategy. Officers can confirm that the approved limits within the Annual Investment Strategy were not breached during the five months ended 31.08.2016.

5.2 Internally Managed Cash Balance

In the first quarter of the year the interest rates achieved were higher than those assumed when setting the budget (1.20% against 0.82%). The net average internal investment balance has been lower than the assumptions in the original budget but the net internal investment returns are £22,400 better than forecast for the first quarter of the year.

5.3 However the reduction in bank base rates in August 2016 and the continuing uncertainty on the impact of the UK leaving the European Union, means that investment rates are falling and it is unlikely that this level of performance will be maintained during the remainder of 2016/17. The budget forecast for investment income will be reviewed as part of the revised budget process in the Autumn.

5.4 Borrowing activities in the period:

- No new long term borrowing has been undertaken;
- No repayments of principal have yet been made; &
- No debt rescheduling was undertaken.

5.5 Compliance with Treasury & Prudential Limits

All treasury limits and Prudential Indicators set out in the Council's Treasury Management Strategy Statement and in compliance with the Council's Treasury Management Practices have been maintained.

The main Prudential Indicators relating to borrowing are:

- Authorised Borrowing Limit – the limit for the year was set at £150m, the limit has not been breached.
- Operational Boundary – this was set at £139.32m for the year, again the limit has not been breached.

5.6 Treasury Management Consultants

Capita are our current treasury management advisors. The Council has recently tendered for this service and the tender has been awarded to Arlingclose for a period of 2 years with a possible one year extension. The contract will begin on 1st October 2016.

6.0 **Treasury Management Indicators 2016/17**

Amendments to the 2016/17 General Fund capital programme will be considered by Council in October. Further prudential borrowing may be necessary and this additional borrowing will require an adjustment to the Prudential Indicators (PI's) approved as part of the Treasury Management Strategy Statement in February. The PI's detailed below will need to be amended:-

- General fund Capital Expenditure & Financing
- General Fund Capital Financing Requirement
- Operational Boundary
- Authorised Limit

These amended PI's will be reported to Cabinet as part of the budget monitoring report in the autumn.

7.0 **Recommendations**

- 7.1 That the **Council** is recommended to:
- (i) Approve the outturn Prudential Indicators for 2015/16;

- (ii) Approve the treasury management stewardship report for 2015/16;
- (iii) Note the treasury management position for the first five months of 2016/17.

8.0 **Reasons for recommendations**

- 8.1 To comply with the Council's Treasury Management Policy and Practices, the CIPFA Code of Practice on Treasury Management (2009) and the CIPFA Prudential Code for Capital Finance in Local Authorities (2009).

Decision information

Key decision number	61
Wards affected	All
Links to Council Plan priorities	

Document information

Report author	Contact number/email
Helen Fox	01246 345452 helen.fox@chesterfield.gov.uk
Background documents Local Government Act 2003, CIPFA Prudential Code & Guidance, Accountancy Services' final accounts working papers.	
Annexes to the report	
Annexe 1	Annual Treasury Management Review 2015/16

Annual Treasury Management Review

2015/16

Annual Treasury Management Review 2015/16

1. Introduction

This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2015/16. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

During 2015/16 the minimum reporting requirements were that the full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Council 26/02/2015)
- a mid-year (minimum) treasury update report (Council 14/10/2015)
- an annual review following the end of the year describing the activity compared to the strategy (this report)

The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.

This Council confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Standards & Audit Committee before they were reported to the full Council.

2. The Economy and Interest Rates

Market expectations for the first increase in Bank Rate moved considerably during 2015/16, starting at quarter 3 2015 but soon moving back to quarter 1 2016. However, by the end of the year, market expectations had moved back radically to quarter 2 2018 due to many fears including concerns that China's economic growth could be heading towards a hard landing; the potential destabilisation of some emerging market countries particularly exposed to the Chinese economic slowdown; and the continuation of the collapse in oil prices during 2015 together with continuing Eurozone growth uncertainties.

These concerns have caused sharp market volatility in equity prices during the year with corresponding impacts on bond prices and bond yields due to safe haven flows. Bank Rate, therefore, remained unchanged at 0.5% for the seventh successive year. Economic growth (GDP) in 2015/16 has been disappointing with growth falling steadily from an annual rate of 2.9% in quarter 1 2015 to 2.1% in quarter 4.

The sharp volatility in equity markets during the year was reflected in sharp volatility in bond yields. However, the overall dominant trend in bond yields since July 2015 has been for yields to fall to historically low levels as forecasts for inflation have repeatedly been revised downwards and expectations of increases in central rates have been pushed back. In addition, a notable trend in the year was that several central banks introduced negative interest rates as a measure to stimulate the creation of credit and hence economic growth.

The ECB commenced a full blown quantitative easing programme of purchases of Eurozone government and other bonds starting in March at €60bn per month. This put downward pressure on Eurozone bond yields. There was a further increase in this programme of QE in December 2015.

As for America, the economy has continued to grow healthily on the back of resilient consumer demand. The first increase in the central rate occurred in December 2015 since when there has been a return to caution as to the speed of further increases due to concerns around the risks to world growth.

The UK elected a majority Conservative Government in May 2015, removing one potential concern but introducing another due to the promise of a referendum on the UK remaining part of the EU. The government maintained its tight fiscal policy stance but the more recent downturn in expectations for economic growth has made it more difficult to return the public sector net borrowing to a balanced annual position within the period of this parliament.

3. Overall Treasury Position as at 31 March 2016

The Council's debt and investment position is organised by the treasury management service in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through Member reporting detailed in the summary, and through officer activity detailed in the Council's Treasury Management Practices. At the beginning and the end of 2015/16 the Council's treasury position was as follows:

TABLE 1	31 March 2015 Principal £000	Rate/ Return %	Average Life years	31 March 2016 Principal £000	Rate/ Return %	Average Life years
General Fund:						
Long term debt	4,097	6.13	9.5	3,752	6.07	9.3
CFR	13,627			14,450		
Over / (under) borrowing	(9,530)			(10,698)		
Short term debt	2,000	0.35		2,500	0.50	
HRA:						
Long term debt	133,949	3.89	23.1	131,407	3.85	22.5
CFR	138,482			136,405		
Over / (under) borrowing	(4,533)			(4,998)		
Total investments	24,162	0.96		25,141	0.77	
Net debt	115,884			112,518		

4. The Strategy for 2015/16

The Council's overall core borrowing strategy is as follows:-

- To reduce the revenue costs of debt
- To manage the Council's debt maturity profile, leaving no one future year with a high level of repayments that might cause problems in re-borrowing
- To secure funding at the cheapest cost commensurate with future risk
- To reschedule debt in order to take advantage of potential savings as interest rates change. Any reschedule exercise will be considered in terms of the premiums and discounts on the General Fund and HRA.
- To manage the day to day cash flow of the Authority in order to, where possible, negate the need for short term borrowing.

The Chief Finance Officer will take the most appropriate form of borrowing depending on prevailing interest rates at the time. It is likely that short term fixed rates may provide lower cost opportunities in the short/medium term.

The option of postponing borrowing and running down investment balances will also be considered. This would reduce counterparty risk and offset the expected fall in investment returns.

5. The Borrowing Requirement and Debt

The Council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's debt position. The CFR results from the capital activity of the Council and what resources have been used to pay for the capital spend. It represents the 2014/15 and prior years' net or unfinanced capital expenditure that has not yet been charged to revenue or other resources.

Part of the Council's treasury activities is to address the funding requirement for this borrowing need. This may be sourced through borrowing from external bodies (such as the Government, through the Public Works Loan Board (PWLb) or the money markets), or utilising temporary cash resources within the Council.

The General Fund element of the CFR is reduced each year by a statutory revenue charge.

The total CFR can also be reduced by:

- The application of additional capital financing resources (such as capital receipts); or
- Charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP)

CFR: General Fund	31 March 2015 Actual £000	31 March 2016 Revised £000	31 March 2016 Actual £000
Opening balance	10,660	13,627	13,627
Add unfinanced capital expenditure	3,351	1,498	1,152
Less MRP/VRP	(384)	(329)	(329)
Closing balance	13,627	14,796	14,450

CFR: HRA	31 March 2015 Actual £000	31 March 2016 Revised £000	31 March 2016 Actual £000
Opening balance	140,540	138,482	138,482
Add unfinanced capital expenditure	50	-	-
Less MRP/VRP	(2,108)	(2,077)	(2,077)
Closing balance	138,482	136,405	136,405

6. Borrowing Outturn in 2015/16

Borrowing – There was no new long term borrowing during the year.

Rescheduling - No rescheduling was undertaken during the year.

Repayments – Repayments of £2m were made in the year.

Interest payable on borrowing	2014/15 Actual £000	2015/16 Revised £000	2015/16 Actual £000
General Fund	522	507	497
HRA	5,152	5,107	5,050

7. Investment Outturn for 2015/16

Investment Policy – the Council's investment policy is governed by CLG guidance, which has been implemented in the annual investment strategy approved by the Council on 26/02/15. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.).

The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.

Investments held by the Council - the Council maintained an average balance of £12.9m of internally managed funds. The internally managed funds earned an average rate of return of 1.18%. This compares with a budget assumption of £12.2m investment balances earning an average rate of 0.8%.

Investments held by fund managers – the Council used Investec Asset Management as external fund managers to invest part of its cash balances. The company announced that it was leaving the local authority market in the first quarter of 2015/16 and all balances were returned to the Council in July 2015.

Appendix 1: Prudential and treasury indicators

1. PRUDENTIAL INDICATORS	2014/15	2015/16	2015/16
Extract from budget and rent setting report	actual	revised	actual
	£'000	£'000	£'000
Capital Expenditure			
General Fund	8,002	8,869	8,355
HRA	15,423	22,000	18,125
TOTAL	23,425	30,869	26,480
Ratio of financing costs to net revenue stream			
General Fund	4.50%	4.69%	4.52%
HRA	13.80%	13.12%	13.21%
Gross borrowing requirement General Fund			
brought forward 1 April	9,358	6,097	6,097
carried forward 31 March	6,097	7,910	6,252
in year borrowing requirement	(3,261)	1,813	155
Gross borrowing requirement HRA			
brought forward 1 April	135,609	133,949	133,949
carried forward 31 March	133,949	131,407	131,407
in year borrowing requirement	(1,660)	(2,542)	(2,542)
Gross debt	140,046	139,317	137,659
CFR			
General Fund	13,627	14,796	14,450
HRA	138,482	136,405	136,405
TOTAL	152,109	151,201	150,855
Annual change in Cap. Financing Requirement			
General Fund	2,967	1,169	823
HRA	(2,058)	(2,077)	(2,077)
TOTAL	909	(908)	(1,254)

2. TREASURY MANAGEMENT INDICATORS	2014/15	2015/16	2015/16
	actual	revised	actual
	£'000	£'000	£'000
Authorised Limit for external debt -			
borrowing	156,000	151,000	151,000
other long term liabilities	-	-	-
TOTAL	156,000	151,000	151,000
Operational Boundary for external debt -			
borrowing	145,000	140,050	140,050
other long term liabilities	-	-	-
TOTAL	145,000	140,050	140,050
Actual external debt	140,046	139,317	137,659
Maximum HRA debt limit	155,612	155,612	155,612
Upper limit for fixed interest rate exposure	50-100%	50-100%	50-100%
Upper limit for variable rate exposure	0-50%	0-50%	0-50%
Upper limit for total principal sums invested for over 364 days (per maturity date)	25%	25%	25%

Maturity structure of fixed rate borrowing during 2015/16	upper limit	lower limit
under 12 months	15%	0%
12 months and within 24 months	15%	0%
24 months and within 5 years	45%	0%
5 years and within 10 years	75%	5%
10 years and above	75%	25%

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For publication

Update on General Fund Capital Programme 2016/17

Meeting: Council

Date: 12 October 2016

Report by: Acting Chief Finance Officer

For publication

1.0 Purpose of report

- 1.1 To provide an update to the General Fund Capital Programme.

2.0 Recommendations

- 2.1 That the updated General Fund Capital Programme expenditure and financing be approved (Appendix A) including provision for the demolition of Queens Park Sports Centre and increased spending on Disabled Facilities Grants (para 4.3.3 and 4.3.5)
- 2.2 That the new schemes in section 6.1 are added to the Capital Programme
- 2.3 That the prioritised list of 'waiting list' schemes be considered (para 8.3)

3.0 Background

- 3.1 The Capital Programme for 2016/17 was approved as part of the budget setting process in February 2016. The programme included two major capital schemes, the new Queens Park Sports Centre and the Waterside scheme.

- 3.2 The programme is heavily dependent on financing from capital receipts but in the current economic climate generating the receipts continues to be a challenge. Kier continue to provide an accelerated receipts programme which is incentivised through a commission payment on the receipts generated.
- 3.3 This report and its recommendations were considered by Cabinet at its meeting on 4 October, 2016 where it was resolved that the recommendations be supported and referred to Council for approval.

4.0 **Updated Expenditure Forecasts**

- 4.1 Updated Programme – An updated capital programme forecast (expenditure and financing) is included at **Appendix A**. The Programme covers the current financial year and three years ahead.
- 4.2 New Schemes - the updated programme includes the schemes that were approved as growth in February 2016, schemes approved by Council on 27th July 2016 and some new proposals.
- 4.3 Progress on Current Major Schemes

- 4.3.1 **Queens Park Sports Centre** – the project is now complete and the Centre opened to the public in January 2016. Work is underway to agree the final account. A provision of £30k is included in the capital programme but final figures are not yet available.
- 4.3.2 **Waterside Canal Infrastructure Works** –The scheme involves the Council carrying out canal related infrastructure works and financing this work through a £2.4m loan from the Sheffield City Region LEP Growing Places Fund. The Council will recover all the costs it incurs through a separate agreement with the landowner.

The loan agreement with Sheffield City Region for the canal infrastructure works has been agreed and signed. Although this element of the scheme has not yet started, the Council drew down the loan from Sheffield City Region in July 2016 to prevent having to forfeit entitlement to the loan. The interest rate on this loan is

1.3%. We have invested this money until it is required but in the present economic climate it is not possible to invest the money at a rate equal or higher than the rate of interest payable to SCR. Work must begin by July 2017 to comply with the terms of agreement.

Although not technically the Council's capital expenditure it has been included in the Programme for monitoring purposes. In the Treasury Management report the £2.4 million borrowing is not included as part of the General Fund Capital Financing Requirement as the Council will be reimbursed by a third party.

4.3.3 Demolition of old Queens Park Sports Centre – The original capital programme included £184k (£92k 2015/16 carried forward and £92k 2016/17) for the demolition of the old sports centre. Current estimates suggest a cost of £265k which includes an amount to cover asbestos removal. However the extent of asbestos removal required is still being assessed so final figures are not yet known.

4.3.4 Town Hall Alterations (GP:GS) – a recent survey of the Town Hall has identified areas of asbestos that will need to be removed before the alterations to the building can be completed. Costs are still being finalised and a separate report will be brought to members. The current approved spend of £850k is included in the capital programme.

4.3.5 Disabled Facilities Grants – the original capital programme includes £650k for 2016/17. Derbyshire County Council, that holds the Better Care Fund, has confirmed an allocation of £952k for this year. Current combined commitment and spend is £720k so we expect to be close to fully committing this allocation in the year.

5 Capital Financing

5.1 Financing Resources – the capital financing resources forecast is shown in **Appendix A**. The main sources of capital finance and how they are being used to fund the current capital programme are summarised below:

- Prudential borrowing – capital expenditure can be financed from borrowing provided the borrowing is affordable, prudent

and sustainable. The aim is to repay borrowing as soon as possible from revenue savings generated by the schemes or by setting aside capital receipts from asset sales.

- Grants and contributions:
2016/17 - £1.33m in total including £0.95m DFG's and £45k Flood Relief Grant

2017/18 - £4.3m in total including SCRIIF grant of £3.6m and grant of £0.65m DFG's

2018/19 - £2.4m in total including SCRIIF grant of £1.8m and grant of £0.65m DFG's
- Reserves - contributions from earmarked reserves towards ICT, vehicle replacements and match funding contributions re other grant funded schemes.
- Capital Receipts – see below.

5.2 Capital Receipts – the general rule is that capital receipts can only be used either to repay debt or to finance new capital expenditure. The Government has introduced a relaxation to this rule for the period April 2016 to March 2019 which provides the flexibility to use capital receipts for revenue expenditure on transformation schemes that are designed to deliver on-going budget savings. The funding of the capital programme is heavily reliant on the generation of capital receipts so this additional use puts further pressure on what is already a scarce resource.

Capital receipts are only included in the programme once potential disposals have been identified and the property concerned is being actively marketed. Kier continue to provide additional resources to help accelerate the sale of assets in return for a commission payment on the sales concluded. Given the experience of recent years where the planned receipts at the start of the year were not achieved a more prudent approach has now been adopted for forecasting future receipts. Officers will continue to review whether additional resources are required to further accelerate disposals.

The capital receipts included in the Programme at Appendix A are:

2016-17 - The forecast of receipts at the start of the year was £1.8m but this has been revised down to £1m. All of the major disposals have now been moved in to 2017/18. Chesterfield Football

Club has repaid the balance of their loan, providing a capital receipt of £850k although this was previously earmarked for the repayment of temporary borrowing. This receipt is not included in the capital receipts figure.

2017/18 – receipts of £8m have been assumed including land at Whitebank, Gorse Valley and Newbold School. The former fire station receipt and the first instalment from the sale of land at Linacre have been brought forward into 2017/18.

2018/19 – receipts of £7.8m have been assumed including land at Hollythorpe Close and the second instalment of money from the sale of land at Linacre.

The receipts forecasts are continually changing as delays are encountered on some disposals or when there are opportunities to accelerate others.

6 New Schemes

6.1 There are a number of capital schemes which have recently been approved by Cabinet and Council that require inclusion in the capital programme.

- Chesterfield Museum Store – refurbishment of Unit 1, Somerset Yard to allow museum storage to be moved from 6 Ashgate Rd to enable the sale of this site to complete. The cost of this is £189,970 with £61,100 funded from the Property Repairs Fund and the remaining £128,690 to be met from temporary borrowing to be repaid when capital receipts are realised
- Northern Gateway – this will require a contribution of £3.6m from the authority. This can be funded from capital receipts in future years but due to timing differences may require temporary borrowing until the receipts are realised.
- Market Hall café – this was approved by Cabinet on 20th September. Refurbishment costs of £72,400 are required which will be funded from the Service Improvement Reserve.

7.0 Net Financing Position

7.1 The funding surpluses / (deficits) for each of the financial years covered by the updated capital programme are summarised in the table below:

	2016/17	2017/18	2018/19	2019/20
In year surplus/(deficit)	-	127	4,717	(190)

The forecasts are based on the latest profile of expenditure on currently approved schemes only i.e. before the inclusion of any new schemes. The key points to note are:

- 2016/17 – despite the significant shortfall in capital receipts a breakeven position is forecast. New prudential borrowing of £383k is required to meet the additional costs of the capital programme. Breakeven has been achieved by deferring repayment of temporary borrowing into future years. The deferral of debt repayment, however, does add further pressure to the revenue budget as a minimum revenue provision for debt repayment, based on the estimated life of the asset being financed, has to be charged to the revenue account whilst the debt remains in place. It has been assumed that the capital receipt from early repayment of the Chesterfield Football Club loan will be used to cover prudential borrowing associated with this loan.
- 2017/18 – a surplus of £127k is forecast but this is dependent on securing a number of significant capital receipts (Whitebank and Gorse Valley, Newbold School, the former fire station plus the first instalment of money from the sale of land at Linacre). The forecast also assumes that £4.3m of the receipts will be used to repay borrowing relating to the new Queen's Park Sports Centre and a further £1.2m of receipts used to repay temporary borrowing on other schemes.
- 2018/19 – a surplus of £4.7m is forecast after assuming £7.8m of capital receipts in the year (from Linacre and land at Hollythorpe Close).
- 2019/20 – a deficit of £190k is forecast but this can be met from previous year's surpluses.

Clearly the surpluses forecast in future years could be brought forward to an earlier financial year if disposals can be accelerated.

8.0 Growth Requests

8.1 The forecast Capital Programme in **Appendix A** shows that based on current forecasts there will be no surplus resources available to fund new schemes until 2018/19. In this climate new schemes can only be added to the Programme where:

- (a) They are aligned with a Corporate Plan priority; and
- (b) The additional funding required has been identified and secured.

Where the funding cannot be identified the schemes will be added to a prioritised list of growth requests and added to the Programme as resources become available.

8.2 The options for creating some additional financing resource include:

- Accelerating **capital receipts** into an earlier year or identifying new assets for a quick disposal;
- **Prudential borrowing** where there is a strong invest-to-save case which shows that the borrowing costs are affordable and sustainable.
- Securing external **grant** support.

8.3 SLT's prioritised list of schemes to go on a waiting list pending the availability of capital receipts after earmarking sums for the Efficiency Plan:

Prio rity	Scheme Description	Capital Implications	Rationale
1=	Car Parks pay on exit machines - Rose Hill	£78k less £73k balance in Cap Prog after surface car park machines.	Currently limited functionality/payment options and equipment not standardised. Potential revenue budget savings of £95k.
1 =	Car Parks pay on exit machines - Soresby St.	£68k	
1 =	Car Parks pay on exit	£74k	

	machines - Beetwell St		
4	ICT development	tbc	A programme of modernisation and replacement of infrastructure, hardware and software, will need to be undertaken to ensure that ICT effectively supports our current services, and enables us to transform to successfully deliver our Council Plan.
5	Pomegranate Roof	£135k	Part roof replacement and increasing the number of rainwater outlets to relieve blockages and the lack of drainage to certain parts of the roof.

8.4 In addition to the above growth requests, there were others where the SLT recommended deferring a decision, including:

- Open Market reconfiguration – to allow time for the financing and VAT recovery implications to be fully explored.
- Playground improvements – to be considered as part of the Parks and Open Spaces Strategy Action Plan.

8.5 Further requests for landscaping at Queens Park Sports Centre and renewal of the vehicle fleet have come from CMT.

8.6 Additional resources for Town Hall alterations will be considered separately when final costs are known.

8.7 Starts on schemes that are included in the Capital Programme will not be made until the Cabinet has approved the detailed business case.

9.0 Risk management

9.1 The risks relating to the capital programme generally are set out in the table below. For individual capital projects the risks are considered in detail at the project appraisal stage.

Description of the Risk	Current Risk		Mitigating Action	Target Risk	
	Impact	Likelihood		Impact	Likelihood
Overspends on schemes	Medium (3)	Possible (3)	Effective planning & monitoring	Medium (3)	Unlikely (2)
Slippage on schemes	Medium (3)	Possible (3)	Regular and effective monitoring	Medium (3)	Unlikely (2)
Capital receipts – disposals delayed or unable to complete	Very High (5)	Likely (4)	Control starts on uncommitted schemes until finance in place. Include only planned disposals in resources forecast. Borrow internally from reserves or short term prudential borrowing.	High (4)	Possible (3)
Reductions in Government Grants	High (4)	Possible (3)	Other external funding opportunities Asset Management Plan to generate capital receipts.	Medium (3)	Possible (3)
Contractor failure	Medium (3)	Unlikely (2)	Financial tests. Performance	Low (2)	Unlikely (2)

			bonds.		
Lack of capacity to deliver a number of major schemes at the same time	High (4)	Likely (4)	Carefully manage the number of projects and hence risks in play at any one time.	Med (3)	Unlikely (2)
Exempt VAT recovery – a number of current schemes have exempt VAT implications. The cumulative impact could cause the Council to exceed its exempt VAT recovery threshold and then be unable to recover <u>any</u> exempt VAT in that year.	V. High (5)	Possible (3)	Starts on schemes delayed until VAT issues resolved. In-year monitoring. VAT planning for a number of years ahead. Obtaining expert external advice.	V. High (5)	Unlikely (2)

10.0 Equalities Impact Assessment (EIA)

10.1 The equalities issues relating to particular capital projects are considered separately at the project appraisal stage.

11 Alternative options and reasons for rejection

11.1 The amendments to the Capital Programme are based on the previously approved schemes within the current Capital Programme

plus the addition of new schemes since that report was approved. Previous commitments could be reviewed and other priorities determined for growth requests.

12.0 Recommendations

- 12.1 That the updated General Fund Capital Programme expenditure and financing be approved (Appendix A) including provision for the demolition of Queens Park Sports Centre and increased spending on Disabled Facilities Grants (para 4.3.3 and 4.3.5)
- 12.2 That the new schemes in section 6.1 are added to the Capital Programme
- 12.3 That the prioritised list of 'waiting list' schemes be considered (para 8.3)

13 Reasons for recommendations

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

Decision information

Key decision number	654
Wards affected	(All Wards);
Links to Council Plan priorities	

Document information

Report author	Contact number/email
Helen Fox	Tel: 01246 345452/helen.fox@chesterfield.gov.uk
Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.	
<i>This must be made available to the public for up to 4 years.</i>	
Appendices to the report	
Appendix A	General Fund Capital Programme

GENERAL FUND CAPITAL PROGRAMME

Code	CAPITAL EXPENDITURE	2016/17				17/18	18/19	19/20
		Original	Actual as	Revised	Variance	Budget	Budget	Budget
		incl c/f	at 3/7/16	incl c/f				
	General Fund:	£'000	£'000	£'000	£'000	£'000	£'000	£'000
8907	Brampton Flood Resilience Work	240	147	247	7			
2750	IT Strategy (from ICT Reserve)	13		13	0	0	0	
8445	Vehicles & Plant (V&P Reserve)	183		183	0	141	170	
8295	Home Repairs Assistance	275	23	275	0	275	275	
8292	Disabled Facilities Grants	650	222	952	302	650	650	
8868	Market Hall Refurbishment	0		28	28			
8833	Erin Road Pumping Station		4	7	7			
	Car Parks - Replacement of Ticket Machines	173		173	0			
	Waterside			2,400	2,400			
	Northern Gateway			140	140	5,885	2,875	500
8912	Queen's Park Sports Centre - New Build			30	30			
8953	Queen's Park Sports Centre - Demolition of Old	92		265	173			
	SHLC Admin area			46	46			
	Winding Wheel lift			95	95			
8943	Town Hall Alterations (GPGS)	406	9	850	444			
	Museum Store			190				
	Market Hall Café refurbishment			72				
8938	Replacement of Winding Wheel Boilers		2	4	4			
8930	Improvements to Whitebank Close Sportsground		4	3	3			
8928	CBC Innovation Centres ICT Upgrade	192		192	0			
		2,224	411	6,165	3,679	6,951	3,970	500
8928	CBC Innovation Centres ICT Upgrade (Rev)	81	104	81				
		2,305	515	6,246	3,679	6,951	3,970	500

CAPITAL FINANCING								
	Loan - Waterside			2,400	2,400			
	Prudential borrowing - Museum store			129	129			
	Prudential borrowing - Northern Gateway			53	53			
	Prudential borrowing - Town Hall alterations			201	201			
	Grants & Contributions - see below	960	0	1,330	(370)	4,310	2,443	310
	Capital Receipts	1,779		1,029	(750)	8,046	7,817	
	ICT Reserve	13		13	0	0	0	
	Vehicle & Plant Reserve	183		183	0	141	170	
	Vehicle & Plant Reserve (Parking Equipment)	47		47	0			
	TPIC Property Repairs Reserve (Cap)	70		70	0			
	TPIC Property Repairs Reserve (Rev)	30		30	0			
	Property Repairs fund - GPGS			270	270			
	Property Repairs fund- Winding Wheel lift			95	95			
	Property Repairs fund - Museum Store			61	61			
	Home Repairs Reserve	75		75	0	75	75	
	Service Imp Res - Innov Ctrs ICT cap	122		122	0			
	Service Imp Res - Innov Ctrs ICT rev	51		51	0			
	Service Imp Res - Car Parks ticket machines	15		15	0			
	Service Impr Res - Market Hall café			72				
	Invest to Save Res - Car Parks ticket machines	111		111	0			
	Invest to Save Res - SHLC Admin			46	46			
	Repay prud borrowing: Museum store					(129)		
	Repay prud borrowing: Northern Gateway					(53)		
	Repay prud borrowing: Town hall					(201)		
	Repay prud borrowing: QPSC New Build	(152)		0	152	(4,269)	(1,818)	
	Repay temp prud borrowing: Ex-Fire Station Site	(536)		0	536	(536)		
	Repay temp prud borrowing: Market Hall Refurbishment	(463)		(157)	306	(306)		
	Total resources available in year	2,305	0	6,246	3,129	7,078	8,687	310
	Less total expenditure in year	2,305	515	6,246	3,679	6,951	3,970	500
	Net in-year surplus / (deficit)	-	-	-	550	127	4,717	(190)
	Surplus / (deficit) b/f from prev yr					0	127	4,844
	Cum surplus / (deficit) c/f	-	-	-	550	127	4,844	4,654

	CAPITAL GRANTS ETC (Accruals Basis)						
	S106: Whitebank Close Sportsground (Cap)			2	(2)		
	Flood Relief Grant - CLG	45		45	0		
	Flood Risk Management Grant - EA	195		202	(7)		
	Disabled Facilities Grants (CLG / Derbys PCT)	650		952	(302)	650	650
	Home Repairs Assistance Grants (FILT / SSE)	10		10	0	10	10
	Eastwood Park - HLF			2	(2)		
	SCRIIF - Northern Gateway			87	(87)	3,650	1,783
	QPSC New Build - Sport England	60		30	30		310
	Grants Total	960	-	1,330	-	4,310	2,443
							310

Description of Asset	Completed	Projected	Prob Outturn	Projected	Projected
	By 29th June 16	June 16 - Mar-17	2016/17	2017/18	2018/19
	£	£	£	£	£
Sheffield Rd Fire Station 0.85ha			-	1,200,000	
Newbold School, Sale of FH with DCC			-	750,000	
Land at Hollythorpe Close, Eastwood Park			-		330,000
Chatsworth Road Medical Centre	95,000		95,000		
Land at Rose Hill/Clarence Road		50,000	50,000		
87 New Square		250,000	250,000		
Land 6 Ashgate Rd / Ex-Goldwell Rooms CP		600,000	600,000	150,000	
Land Whitebank Close			-	410,000	
Land Gorse Valley Rd, Hasland			-	500,000	
Land N of Ashgate Rd & E of Linacre Rd			-	5,000,000	7,450,000
	95,000	900,000	995,000	8,010,000	7,780,000
Allowance for repay't of loans/grants & rounding		34,410	34,410	35,570	36,730
Total GF Capital Receipts	95,000	934,410	1,029,410	8,045,570	7,816,730

All figures expressed net of disposal costs.

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COUNCIL MEETING – 12 OCTOBER 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	27 July 3 August 3 August (Full Committee) 10 August 24 August 31 August 7 September 14 September 21 September
Licensing Committee	27 July 17 August
Planning Committee	8 August 30 August 19 September
Standards and Audit Committee	22 June 12 July

If you require paper copies of the Minutes please contact:

Martin Elliott

Democratic Services, Town Hall, Chesterfield, S40 1LP

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

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CABINET

Tuesday, 26th July, 2016

Present:-

Councillor Burrows (Chair)

Councillors T Murphy
Blank
Huckle

Councillors Ludlow
A Diouf

Non Voting J Innes
Members Brown

Hollingworth
Wall

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

58 APOLOGIES FOR ABSENCE

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

59 MINUTES

RESOLVED –

That the minutes of the meeting of Cabinet held on 12 July, 2016 be approved as a correct record and signed by the Chair.

60 FORWARD PLAN

The Forward Plan for the four month period 1 August to 30 November, 2016 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

61 DELEGATION REPORT

Decisions taken by Cabinet Members during June and July, 2016 were reported.

***RESOLVED –**

That the Delegation Report be noted.

62

CARAVAN AND MOBILE HOME PARK LICENSING

The Housing Manager submitted a report to inform members of changes to the regulations for the licensing of Caravan and Mobile Home Parks introduced under the Mobile Homes Act 2013, and to request approval for the proposed fee policy in relation to the functions delegated to the Council under the Act. The Housing Manager noted that the new legislation only applied to sites used for human habitation all the year round, with sites used for seasonal activities, not open all year, such as holiday caravan sites, being exempt from the legislation.

The report advised that the new legislation gave local councils the authority to charge fees for licence applications, amendments and variations, the power to charge an annual licence fee reflecting the cost to the local authority of administering the licence, the power to refuse to grant a site licence where it was considered that the applicant was unsuitable to hold a licence and the power to vary the licence conditions on existing sites where it was felt that the existing conditions were no longer adequate or obsolete. The legislation also required each local authority to adopt and publish a fee policy. The council's proposed fee policy was attached as an appendix to the officer's report.

The report also requested that delegated authority be given to the Cabinet Member for Housing to authorise variations to the Council's adopted standards for residential Caravan and Mobile Homes Parks, as well as delegated authority to officers with regard to the authorisation and refusal of licences, as well as to deal with the enforcement of licence conditions.

***RESOLVED –**

1. That the changes to the licensing and management of Caravan and Mobile Home Parks, as introduced under the Mobile Homes Act 2013 be noted.
2. That the matters to be taken into consideration when determining whether a licensee or site manager is a 'fit and proper person', as detailed in sections 6.11 to 6.14 of the officer's report, be approved.
3. That the proposed fee structure, as detailed in the Fee Policy at Appendix A of the officer's report, be approved.
4. That the Model Standards for Caravan Sites in England 2008 be adopted as the minimum standards to be applied to licence conditions.
5. That responsibility for the approval of any variations to the Council's adopted standards for residential Caravan and Mobile Homes Parks, to accord with

changes to the Model Standards, be delegated to the Cabinet Member for Housing.

6. That the responsibility for the authorisation and refusal of licence applications, including renewal, revocation and licence variations be delegated to the Health and Wellbeing Manager and the Private Sector Housing Manager.
7. That responsibility for the enforcement of licence conditions, including the inspection of sites, issuing of Compliance Orders, emergency remedial action and the authorisation of works in default, be delegated to the Private Sector Housing Manager.

REASONS FOR DECISIONS

The powers and resources now available to the local authority will enable it to take appropriate action to monitor and enforce reasonable minimum standards on Mobile Homes Sites. It will provide vulnerable occupiers, many of whom are elderly, with regulatory protection against the worst practices of unscrupulous site owners.

63 HOMELESSNESS STRATEGY

The Housing Manager submitted a report to seek approval for the adoption and publication of the North Derbyshire Joint Homelessness Strategy 2016 – 2021, which set out the Council's approach to dealing with homelessness in Chesterfield and across North Derbyshire. A strategy was required as the Homelessness Act 2002 had placed an obligation on local authorities to review homelessness in their area and to produce and publish a five year strategy and action plan to tackle the issue in their area.

The report noted that the council had produced an interim Homelessness Statement for 2014/15 that had set out the key strategic priorities and the challenges faced relating to homelessness in Chesterfield, pending the development of a joint North Derbyshire Homelessness Strategy with the neighbouring districts of Bolsover and North East Derbyshire. The report noted that since 2003 Chesterfield Borough Council, along with Bolsover and North East Derbyshire District Councils had made considerable progress in improving services and reducing homelessness in their areas since each Council published their first homelessness strategies

The Housing Manager advised that as many of the issues faced by Chesterfield Borough Council with regard to homelessness were the same as those faced by the neighbouring authorities of Bolsover and North East Derbyshire, and that as the majority of the services and support available for homeless people were common

throughout the three areas, it was practical to look at a shared overarching strategy. This strategic approach to joined up working would also enable the best use of resources, and would also maximise the opportunities to bring additional funding in to this area.

In order to move the joint working arrangement forwards the three councils had appointed consultants to carry out a review of homelessness across North Derbyshire, and to produce a joint Homelessness Strategy for 2016 – 2021. The proposed North Derbyshire Homelessness Strategy 2016 – 2021 set out the framework in which the council would develop and deliver homelessness prevention, advice and support services both in Chesterfield and north Derbyshire, and the proposed strategy was included in full as an appendix to the officer's report.

***RESOLVED –**

That the North Derbyshire Joint Homelessness Strategy 2016-2021 be adopted and published.

REASON FOR DECISION

To ensure compliance with the statutory obligation of having a strategy in place to deal with homelessness in the Borough.

CABINET**Tuesday, 20th September, 2016**

Present:-

Councillor Burrows (Chair)

Councillors T Gilby
T Murphy
Blank
Huckle

Councillors Ludlow
Serjeant
A Diouf

Non Voting Bagley
Members J Innes
Brown

Hollingworth
Wall

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

65 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

66 **MINUTES**

RESOLVED –

That the minutes of the meeting of Cabinet held on 26 July, 2016 be approved as a correct record and signed by the Chair.

67 **FORWARD PLAN**

The Forward Plan for the four month period 1 October to 31 January, 2017 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

68 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED –

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

69 CREMATORIUM DELIVERY OPTIONS

The Bereavement Services Manager submitted a report to inform Members of the proposal by the Joint Crematorium Committee to establish a wholly owned company for the future management of Chesterfield Crematorium.

The current formal agreement for the formation of the Joint Crematorium Committee agreed in 2003 set out the apportionment of any financial surpluses or deficits between the constituent authorities and the representation of each of the constituent authorities on the Joint Crematorium Committee. The report proposed to continue the apportionment on the same basis should a wholly owned company be established. The final decision on any formation of a wholly owned company would be taken by the Joint Crematorium Committee.

The report outlined the human resources implications and noted that the Crematorium was managed by Chesterfield Borough Council employees and the posts would need to be TUPE transferred into the new company. Details of the financial and legal implications, staff consultation requirements and risk management arrangements were included in the report.

***RESOLVED –**

1) That the Cabinet supports in principle the Joint Crematorium Committee's recommendation that a wholly owned company be established for the future operation of the Chesterfield Crematorium, with

the new company's articles and shareholders agreement being based on the "sharing agreement" which was agreed by the three Councils in 2003.

2) That alternative options be considered in more detail by the Joint Crematorium Committee before their recommendations are determined.

3) That, subsequent to this, the Joint Crematorium Committee's recommendations be referred to the respective Councils to clarify the preferred option and to outline the necessary legal and governance arrangements.

REASON FOR DECISIONS

To allow the Joint Crematorium Committee to progress its plans to establish a wholly owned company to operate Chesterfield Crematorium in the future.

70 CATERING COMMERCIALISATION

The Senior Business Transformation Officer submitted a report outlining the business case for a project to commercialise the Market Hall café and to request approval to carry out the project with the allocation of a capital budget from the service improvement fund for refurbishment of the Market Hall café. The café had been identified as a significant commercial opportunity for the Council as the current café provision had not achieved the commercial and reputational aims that the Council expected as the retail anchor.

The key aims of the project were to improve the catering offer provided in the Market Hall, boost footfall for all businesses within the building and provide a high quality, profitable café operated by the Council. The aims of the project had been designed to contribute towards the following corporate plan 2015-2019 priorities and values:

- to make Chesterfield a thriving borough,
- to develop a great town centre,
- to improve the quality of life for local people,
- to increase the quality of public space for which the council has responsibility,
- to provide value for money services, and
- customer focus.

In addition, a strategic case had been established which presented an opportunity to contribute towards the Council's 2020 financial self-sufficiency aspiration.

The report noted the outcomes from a detailed business and market investigation that had been undertaken and provided details of the target footfall in comparison with key competitors in the town centre. In addition, the Council run café would support local businesses by using local suppliers and produce, and establish the Council's commercial presence within the market place. There would also be an opportunity to develop a strong scalable catering brand and product that could be used flexibly at other Council sites across the borough.

The financial, human resources and legal implications were included in the report along with details of risk management arrangements, equalities impact assessment and alternative options with reasons for rejection.

***RESOLVED –**

- 1) That the project to operate the café in the Market Hall as a commercial function be approved.
- 2) That a capital budget of £72,400 from the service improvement fund be approved for the refurbishment of the Market Hall café.

REASON FOR DECISIONS

- 1) The business case presents a commercial opportunity that will contribute significantly towards the council's 2020 financial self-sufficiency aspiration.
- 2) The project also contributes to the following council plan (2015/19) priorities and values:
 - to make Chesterfield a thriving borough,
 - to develop a great town centre,
 - to improve the quality of life for local people,
 - to increase the quality of public space for which the council has responsibility,
 - to provide value for money services, and
 - customer focus.

3) The project will create positive links with local suppliers.

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JOINT CABINET AND EMPLOYMENT & GENERAL COMMITTEE

Tuesday, 26th July, 2016

Present:-

Councillor Burrows (Chair)

Councillors	Huckle T Murphy Ludlow Blank A Diouf	Councillors	J Innes Elliott Simmons Davenport Dickinson
Non-voting Members	Brown Hollingworth		Wall

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

15 APOLOGIES FOR ABSENCE

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

16 MINUTES

RESOLVED –

That the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 12 July, 2016 be approved as a correct record and signed by the Chair.

17 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 3 on the grounds that it contained information relating to financial or business affairs of any particular person (including the authority holding that information).

18 **NORTHERN GATEWAY REVISED SCHEME PROPOSALS**

The Economic Growth Manager submitted a report to update the committee on the progress of the Northern Gateway scheme and to seek approval for the development of revised proposals to move the scheme forward. The report also referenced how the Sheffield City Region Investment Fund (SCRIF) grant offer allocated through the SCRIF programme would help bring forward the Northern Gateway scheme and act as a catalyst for regeneration in the town centre.

The Council was approached in January 2015 by Jomast Developments and Midlands Co-operative Society who were developing a scheme for the former Co-operative department store on Elder Way, Chesterfield. It was agreed to pause the competitive dialogue process on the Northern Gateway scheme to allow Jomast the time and opportunity to develop the Elder Way scheme further. A planning application was submitted in September, 2015 and approved in December, 2015 to refurbish the Co-op building and deliver a multi-occupied leisure scheme consisting of six restaurants, a hotel and a gym.

The pause in the process allowed the Council to undertake an options appraisal of the Northern Gateway scheme to understand the type and mix of development that could be deliverable on the site and take in to account surrounding developments. Using HCA Local Capacity Funding, expert commercial advice was obtained from Cushman and Wakefield and their findings were presented in December 2015, which affirmed a demand for leisure with strong interest from hotel operators and national restaurant chains. The findings also revealed that there was a low demand from retail with only limited interest being shown by lower value retailers. However, the options appraisal confirmed that there would not be sufficient occupier interest for another hotel and further restaurants in addition to those already incorporated in the Co-op development.

Taking into account the options appraisal and planning approval for the Co-op development, the report proposed a revised scheme that incorporated the redevelopment of the former Co-op building, refurbishment of Saltergate multi-storey car park, creation of 2350sqm of managed office space and public realm works that provided enhanced connectivity from the Northern Gateway site to the town centre. It was estimated that the scheme would create 489 new jobs, an up-lift in Gross Value Added (GVA) of £16m, and an improved town centre offer. The scheme was estimated to cost £19.9m with funding from SCRIF, Chesterfield Borough Council (CBC) and the private sector.

A revised proposal for SCRIF funding was considered and approved by the SCR Infrastructure Board in February, 2016 though subject to a full business case which was anticipated to be submitted in Summer 2016. The proposed scheme would be delivered solely by CBC (alongside the re-development of the Co-op by Jomast); the benefits of this were outlined in the officer's report. The revised scheme also allowed for potential future development involving retail and residential.

To ensure that CBC had adequate officer resources to manage all elements of the revised programme, the report proposed to establish a project management post within the Economic Development Unit for a fixed term of 2 years. Taking into account on costs, the salary for the post would be affordable for the 2 year fixed term period within the sum set aside in the Service Improvement Plan. The job description and person specification were attached as appendices to the report.

The financial implications were set out in the report and information was provided on the allocated funding from SCRIF and the contribution required from CBC and how this would be financed. The report also outlined the human resources, legal and data protection implications. Details of consultations and risk management and equalities impacts were also included along with alternative options and reasons for rejection.

***RESOLVED –**

- (1) That a new fixed-term post of Project Manager be established within the Economic Development Unit.

That the Joint Cabinet and Employment and General Committee recommend to Council:

- (2) That a full business case be submitted to Sheffield City Region for the proposals outlined in the officer's report.
- (3) That approval be granted to enter into a Sheffield City Region Investment Fund (SCRIF) grant funding agreement with Sheffield City Region and that Chesterfield Borough Council allocate match funding, estimated to be £3.57million, to the revised Northern Gateway scheme.
- (4) That approval be granted for the delivery of the revised Northern Gateway scheme as outlined in the officer's report and that delegated authority be granted to the Chief Executive, Leader of the Council and Chief Finance Officer in conjunction with the Economic Growth Manager to progress the delivery arrangements subject to confirmation of the SCRIF grant.
- (5) That approval be granted to update the Treasury Management Prudential Indicators, as outlined in the officer's report.
- (6) That approval be granted to progress with Option 1 of the proposals set out within the officer's report to expedite the re-development of the former Co-op building and that delegated authority be given to the Chief Executive, Leader of the Council and Chief Finance Officer in conjunction with the Economic Growth Manager to finalise the lease agreements.
- (7) That the £100k previously set aside to finance the external procurement process for development partners from the Service Improvement Reserve be used to support the creation of a new Project Management post to lead on delivery of the revised Northern Gateway scheme.

REASON FOR DECISIONS

To ensure that the regeneration of the Northern Gateway is achieved and that employment opportunities are maximised. Delivery of the project proposed within the recommendations will ensure that residents and visitors to the town are able to benefit from a quality destination in line with the aspirations of the town as highlighted in the Town Centre Masterplan.

OVERVIEW AND PERFORMANCE SCRUTINY FORUM

Tuesday, 14th June, 2016

Present:-

Councillor P Gilby (Chair)

Councillors J Barr
Borrell
Burrows +
Callan
V Diouf

Councillors Derbyshire
Miles
Flood
Perkins

Anita Cunningham, Policy and Scrutiny Officer
Karen Brown, Transformation Programme Manager ++
Barry Dawson, Chief Finance Officer +++
James Drury, Executive Director ++
John Fern, Communications and Marketing Manager ++++
Rachel Lenthall, Committee and Scrutiny Coordinator
Rachel O'Neil, Customer, Commissioning and Change Manager ++

+ Attended for Minutes Nos. 4 and 5

++ Attended for Minute No. 3

+++ Attended for Minute No. 4

++++ Attended for Minute No. 5

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Catt, Dyke and Slack.

3 CABINET MEMBER FOR BUSINESS TRANSFORMATION - GREAT PLACE, GREAT SERVICE PROGRESS REPORT

The Executive Director, James Drury, and the Transformation Programme Manager attended to provide members with a progress update on the Great Place, Great Service (GPGS) programme. The Executive Director informed the committee of the progress made on GPGS projects and the areas of improvement that were being worked on. GPGS had identified that reviews were needed to examine how the Council ran certain services including ICT, Support Services, customer service and rent collection.

The Procurement partnership with the NHS started in January 2016. Though there had been teething problems during the initial few months, 36 contracts had been managed by the NHS of which 8 had been completed with savings of £37k achieved by the partnership to date. The council's new Customer, Commissioning and Change Manager had joined the corporate management team in June 2016 and would drive the commercial side of GPGS. In addition, the new Information Assurance Officer post had been filled and the post holder was due to start in August 2016.

Progress was also provided on:

- Smarter Working – Town Hall restack, flexible working
- Estate Rationalisation
- ICT Infrastructure
- Website/Intranet
- Commercialisation
- Change Readiness and Change Management

Members asked about the rent collection contract with Arvato and whether the performance indicators were too low and needed to be renegotiated. Members had concerns with the timings and frequency of visits to tenants for rent recovery and asked if changes were to be made to the process. Members also commented that as tenants do not receive rent books anymore, it was more difficult for them to keep a track of their rent, particularly elderly tenants.

The Executive Director advised that the letting process had recently been updated to include a financial assessment; this would provide a clearer picture of the prospective tenant's financial circumstances and reduce rent arrears on introductory tenancies. When there is a visible impact, consideration would be given to making changes to the performance indicators. However, there was also a need for the different teams

involved with tenancies to work better together to share information so a full picture behind a tenants' debt could be seen. Ongoing work was being undertaken to look into how and when visits to tenants were conducted and a small tenant's group had been set up to review the letters sent out by rent recovery.

Members raised concerns about the levels of asbestos discovered in the Town Hall and asked whether asbestos tests were carried out when work was undertaken in the basement and if the current tenants would be affected by the planned works associated with the Town Hall restack.

The Transformation Programme Manager advised that targeted tests had been undertaken prior to work being carried out in the basement. The Executive Director added that the asbestos is more concentrated on the lower floors of the Town Hall and the tenants in the basement would be consulted if they were to be affected.

Members were pleased to hear that the new Information Assurance Officer had been recruited and asked if the extra work taken on by the Council would lead to renegotiations of the contract with Arvato. The Executive Director replied that though the Council is taking back some Information Assurance work, since the original contract was created with Arvato the requirements have become more demanding and would not have been expected in the original contract therefore it would be unwise to enter into renegotiations at this stage.

The Chair thanked the Executive Director and Transformation Programme Manager for the progress report.

RESOLVED –

- 1) That the update be noted.
- 2) That an update on GPGS be brought to the Overview and Performance Scrutiny Forum in January, 2017.
- 3) That an update on the questions raised by Members be brought to the Overview and Performance Scrutiny Forum in January, 2017.

The Leader and Chief Finance Officer attended to update Members on the Budget Outturn for 2015/16. Reports were taken to Cabinet on 14 June, 2016 on the individual portfolio accounts and the overall summary for 2015/16. The Chief Finance Officer explained that the original budget forecast a deficit of £94k, the revised budget forecast had predicted a £225k surplus and the actual net surplus for 2015/16 was £448k. The Chief Finance Officer explained which areas had come in over budget or created surpluses and the reasons why that had happened. A working balance of £1.5m would be maintained along with various reserves.

The predicted forecast for 2016/17 would see a budget deficit of £1.3m. The Chief Finance Officer advised that there needed to be a focus on creating a sustainable budget and the Council's reserves could only be used once and should not be relied on. Two areas of income that could potentially change were the New Homes Bonus and the effect devolution may have on Business Rate retention. The Leader added that whilst certain service areas had been a success and had come in under budget, due to future uncertainties the reserves needed to be kept in place.

Members asked if the Council was at risk of getting into serious debt in the future. The Chief Finance Officer replied that there would always be new pressures on the budget however after 2020 a more stable position was predicted. The Leader stressed that the Council was working to become more commercial and self-financing. Members also asked if the forecasted £1.3m deficit figure for 2016/17 could be reduced. The Chief Finance Officer advised that the surpluses and under spends were being looked at to see if a reoccurrence was expected.

Members enquired about the recruitment for the new Director of Resources post and thanked the Chief Finance Officer for the work he had done for the Forum and in particular his support for Scrutiny. The Leader added his thanks to the Chief Finance Officer and informed Members that the first recruitment exercise had returned no suitable candidates for interview. Consequently, the salary had been increased slightly and a new recruitment consultant had been chosen; the search for new candidates was currently underway. The recruitment consultant had been advised to look in both public and private sector markets and was expected to return a better response. In the interim, external support would be sought to cover the role from when the Chief Finance Officer leaves at the end of June, 2016.

The Chair thanked the Leader and Chief Finance Officer for attending to provide Members with the report and answering their questions.

RESOLVED –

1. That the report be noted.
2. That the Forum thanks the Chief Finance Officer and Council, especially the service areas that had engaged in transformation to help the budget situation.
3. That an update on the analysis of service areas, showing how surpluses had been achieved, be brought to Overview and Performance Scrutiny Forum in November, 2016.

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

The Leader and Communications and Marketing Manager attended to provide Members with a progress update on the delivery of the Council's Internal and External Communications Strategies. A summary of results from the recent employee survey was provided highlighting areas that had improved or worsened. The new intranet, Aspire, had contributed to an improvement in employees feeling informed, however satisfaction levels about communications between team leaders and managers and their staff, and the frequency of one-to-ones had decreased.

The draft survey results had been discussed with Cabinet Members, Service Managers and at Corporate Management Team meetings. Further analysis would take place within the Workforce Strategy group and would involve focus groups of staff from different levels within the Council. A particular emphasis would be placed on the role of line managers in improving the frequency and quality of team meetings, individual appraisals and one-to-one meetings.

The update on the External Communications strategy included news of the launch of the Council's new website. The main change to the website was that it now had a 'responsive design,' allowing it to be read easily on tablets and smartphones. The next phase of the work on the website was underway and the analysis on analytics has been completed. Customer data, i.e. contact centre enquiries, would be looked at to see how the

website could be used to provide answers and improve navigation for users.

The Leader commented that it had been a long process moving from a semi-professional to a fully professional communications team. Cabinet Members had received media training so that the Leader could step back from doing the majority of media interviews. There had also been a change in the way the Leader and Chief Executive communicate with the workforce which included holding four recent workforce meetings. The meetings involved larger groups of employees from a mixture of Council service areas to give employees the confidence to ask challenging questions.

Members noted that, compared to other organisations, the employee survey results were mostly positive. Members also gave support for the press releases by the Council as they found them useful when dealing with constituents.

Members raised concerns over the decreasing number of employees who said that communication within their service area was good. The Communications and Marketing Manager replied that, within the last few weeks, many staff that previously had no access to emails had been issued with mobile devices to improve communications. In addition, Aspire had only recently been launched at the time of the survey and was expected to improve access to information and communications.

The Communications and Marketing Manager added that the worst area identified by the survey related to team managers. To help address the problem, meetings had been held at Service Manager level and with Cabinet Members. In addition, the Senior Leadership Team had stressed that they would be taking a firmer approach to team managers and their communications with their staff as the current levels of dissatisfaction were not acceptable. Members were concerned with the low frequency of team meetings and asked if managers were prepared for holding team meetings. The Communications and Marketing Manager advised that, as the survey is anonymous, it was difficult to identify which teams were affected; however holding team meetings was in the team manager's job description so they should be prepared to arrange them.

Members asked if the Council was concerned over the falling number of employees who said that they were proud to tell others that they worked for the Council. The Leader and the Communications and Marketing

Manager advised that the overall trend was good compared to other organisations.

Members asked if the response rate to the survey had increased. The Communications and Marketing Manager replied that the response rate had fallen from 59 per cent to 43 per cent. There had been issues accessing the survey due to server problems which led to some employees giving up before submitting the survey, though extra paper copies were produced to help address this. In addition, one service area had boycotted the survey and the data from two service areas was so low it could not be relied upon.

The Chair commented that the indicators overall were encouraging and praised the proactive approach taken to address the areas of concern that had been raised. The Chair also commended the external website and Aspire, in particular their ability to be accessed on mobile devices. The Chair thanked the Leader and Communications and Marketing Manager for attending.

RESOLVED –

- 1) That the progress report be noted.
- 2) That the Chairs' comments be noted.

6 FORWARD PLAN

The Forward Plan was considered by the forum.

RESOLVED –

That the Forward Plan be noted.

7 SCRUTINY MONITORING

The Scrutiny Monitoring schedule was considered by the forum.

RESOLVED –

1. That the Monitoring Schedule be approved.

2. That the Forum notes the updates on OP4 and OP5 that were provided through the earlier agenda items on Great Place, Great Service and Internal and External Communications.

8 WORK PROGRAMME FOR THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM

The Work Programme for the Overview and Performance Scrutiny Forum was considered. The Chair noted that the Work Programme now also contained information on when Scrutiny Monitoring was due and which Corporate Working Groups were reporting in to the committee.

The Policy and Scrutiny Officer was invited to explain to the Forum the difference between a Scrutiny Project Group and a Corporate Working Group. It was explained Scrutiny Project Groups (SPGs) are working groups created by Overview and Scrutiny Committees (OSC). The SPG would then report back, and make any recommendations, to the relevant OSC. An OSC then has statutory power to make reports and recommendations to the Executive (Cabinet) or Council.

Corporate Working Groups are created by the Council or the Executive. The Overview and Performance Scrutiny Forum may be invited by the Corporate Working Group to appoint one or more members to join. The appointed Scrutiny Member(s) would then report back from the Corporate Working Group to the relevant Overview and Scrutiny Committee. If a request for a Scrutiny Member to join a working group needed a quick decision, the Chairs could invite and agree a nomination to be retrospectively approved by the Forum at its next meeting.

RESOLVED –

- 1) That the Work Programme be approved.
- 2) That the following appointments to the Concessions Policy Corporate Working Group be approved by the Forum: Cllr J Barr, Cllr Catt, Cllr Sarvent and Cllr Slack.
- 3) That the reporting back process for the following groups be approved:

- a. Councillor Derbyshire to report back to the Overview and Performance Scrutiny Forum from the Member Development Working Group;
- b. Councillor Sarvent to report back to the Community, Customer and Organisational Scrutiny Committee from the Constitution Working Group;
- c. Councillor Perkins to report back to the Enterprise and Wellbeing Scrutiny Committee from the Housing Policy/HRA Working Group.

9 JOINT OVERVIEW AND SCRUTINY

No issues were raised for Joint Overview and Scrutiny.

10 OVERVIEW AND SCRUTINY DEVELOPMENTS

The Policy and Scrutiny Officer reported on the Sheffield City Region Combined Authority Overview and Scrutiny Committee (SCR CA OSC). A draft scheme of governance for the combined authority containing arrangements for the delivery of the combined authority's overview and scrutiny function, was to be considered by the SCR CA OSC on 27 June, 2016 with public consultation due to begin in early July, 2016. The scheme of governance was expected to go back to SCR CA OSC on 21 July, 2016 with the intention of submitting the scheme to the Secretary of State in October/November 2016.

In addition members were informed that the Centre for Public Scrutiny had carried out a piece of work commissioned by the Local Government Association and had published a guidance document on devolution and governance. However, the guidance was more general than originally anticipated and did not contain outcomes specific to SCR CA OSC or other combined authorities overview and scrutiny committees.

RESOLVED –

That the updates be noted.

11 MINUTES

The minutes of the meeting of the Overview and Performance Scrutiny Forum held on 10 May, 2016 were presented.

RESOLVED –

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

OVERVIEW AND PERFORMANCE SCRUTINY FORUM

Tuesday, 6th September, 2016

Present:-

Councillor Slack (Chair)

Councillors	J Barr	Councillors	Derbyshire
	Borrell		Miles
	Burrows ++		Flood
	V Diouf		

Karen Brown, Transformation Programme Manager +
Anita Cunningham, Policy and Scrutiny Officer
Donna Reddish, Policy and Communications Manager ++

+ Attended for Minute No. 15

++ Attended for Minute No. 17

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

No declarations of interest were received.

13 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Callan, Catt, P Gilby, Perkins and Sarvent.

14 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

15 CABINET MEMBER FOR BUSINESS TRANSFORMATION -

PROGRESS REPORT ON PROCUREMENT

The Transformation Programme Manager attended to provide members with a progress update on the shared Procurement service. The Joint Cabinet and Employment and General Committee resolved in November, 2015 that Chesterfield Borough Council (CBC) join the NHS Procurement consortium for a period of three years at an annual fee of £39,000 with the condition that a comprehensive Service Level Agreement (SLA) be developed. CBC joined the shared service in January, 2016. The Transformation Programme Manager advised Members that in the first 8 months of the partnership, 46 procurements had commenced, 12 procurements had been completed and a total of £54,000 savings had been achieved.

There had been two internal audits of the procurement service since entering into the partnership and though improvements had been made, work was still needed in some areas. The Transformation Programme Manager highlighted the progress on the recommendations by internal audit which included drafting the Procurement strategy and submitting it to CMT for review, arranging essential training to be provided from October, 2016 and incorporating flowcharts and supporting forms into the SLA to address issues raised by the audit.

Through the shared Procurement service CBC was currently achieving £33k savings per annum on service delivery costs. The Transformation Programme Manager informed Members that further savings had been achieved from the Procurement Client role which was currently vacant and under review by the Customer, Commissioning and Change Manager who was investigating an option that could see the Customer, Commissioning and Change team collectively absorbing the work.

The move to the shared service with the NHS had been monitored closely and teething problems had been resolved. The Transformation Programme Manager presented the draft Sustainable Commissioning and Procurement Strategy to Members and highlighted that the performance indicators in section 10 of the strategy focussed on local performance.

Members asked if any of the projects completed so far were considered to be major projects. The Transformation Programme Manager replied that there had been significant projects completed but these were not considered to be major projects. However there were some major projects currently in progress including one for the Operational Services Division.

Members asked if the procurement training could be offered to Scrutiny Members as they felt it would be useful for Members of the Forum to have an understanding of the whole procurement process so that they could carry out procurement scrutiny effectively. The Transformation Programme Manager advised that she would be happy to have a Scrutiny Member attend the officer training however the training would be in depth and consideration was needed as to who would attend. Members were also informed that there would be training for Members which would focus on the procurement strategy. The Transformation Programme Manager advised that for scrutiny to look at a procurement project early on they would need to be involved at the specification stage and the NHS procurement team would be happy to arrange a training session with a small group of Members to explain this process.

Members asked if there was an indication as to the financial position of the shared service at the end of the first year. The Transformation Programme Manager advised that due to the variations in the market, it was difficult to estimate a figure for the end of year one however it was looking positive.

Members asked if there were different standards in the way the NHS worked compared to CBC, and if other councils had an Equalities Impact Assessment (EIA) with the NHS. The Transformation Programme Manager replied that the standards generally are similar and the NHS are comfortable with CBC's measures. In addition, there were aspirations to create a joint strategy to include Bolsover DC, North East Derbyshire DC and Derbyshire Dales DC as there would be benefits from working with other councils when there are similar contracts up for renewal. There had been concerns that the EIA from other councils was not up to CBC's standard however this had been addressed and the standard raised.

Members asked when a review would be carried out to see how effective the strategy is. The Transformation Programme Manager advised that the strategy would be reviewed a full 12 months after its implementation and benchmarking would be carried out in the next quarter.

Members thanked the Transformation Programme Manager for attending and providing the progress report.

RESOLVED –

- 1) That the report be noted.
- 2) That training on the Procurement process be arranged for Scrutiny Members and consideration be given as to who should attend.
- 3) That further progress be reported to the Overview and Performance Scrutiny Forum in 2017, and consideration be given to advice from the Transformation Programme Manager that a report in July rather than March would contain end of year results.

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

RESOLVED –

That the public be readmitted to the meeting.

17 SCRUTINY MONITORING

The Leader and Cabinet Member for Regeneration attended the meeting with the Policy and Communications Manager to update Members on the progress made on the Overview and Performance Scrutiny Forum recommendations regarding Concessions on Fees and Charges.

The Policy and Communications Manager informed Members that following the review by scrutiny which raised concerns over the lack of consistency when awarding concessions, an officer/member working group was established. The aim of the group was to produce a Concessions Policy which had been drafted and was due to go to Cabinet in November, 2016 for approval, allowing time for it to be worked into fees and charges reports from early 2017. The policy addressed the need for a consistent approach when awarding concessions across the Council's services whilst retaining some flexibility and aligning with the Council Plan 2015-2019. The Policy and Communications Manager noted that the Policy Principles section of the policy had been taken from the scrutiny review. In addition, a table containing the eligibility criteria had been created to improve clarity.

Members asked if information about the concessions would be made publicly available. The Policy and Communications Manager advised that they would not be actively promoted but Officers would have the details readily available.

Councillor J Barr, the Lead Member of the Scrutiny Project Group, noted that leisure services concessions in particular had to be reviewed in a different way as there was a need to retain some flexibility. Thanks were given to Democratic Services, especially Committee and Scrutiny Co-ordinator Martin Elliott, for their support and also to Cabinet Members and Service Heads for their cooperation. The Leader added that the scrutiny review and resulting policy was a good example of scrutiny identifying an area that needed looking at and finding a solution to resolve the issue. The Leader also added that Cabinet recognised Scrutiny's work as a useful input. The Policy and Scrutiny Officer reiterated that some good, collaborative working took place and noted that having corporate leadership and support behind the work and policy ensured it would be followed through to implementation.

Members thanked the Leader and Policy and Communications Manager for attending and providing the update.

RESOLVED –

- 1) That the monitoring update on Concessions on Fees and Charges be noted.
- 2) That it be noted that Members were pleased with the work to date and looked forward to seeing it finalised.
- 3) That the monitoring schedule be approved.

18 FORWARD PLAN

The Forward Plan was considered by the forum. Members drew attention to a decision due to be made by Cabinet in October on the Unreasonable Complaints and Customers Policy. Members commented that they receive complaints regularly and felt that it was important to look at the development of the new policy.

Members asked if an update could be received on the Consultation response to Derbyshire Clinical Commissioning Groups 21C Joined up care consultation as a decision was due at Cabinet in October regarding this. The Chair advised that health scrutiny fell under the remit of the Community, Customer and Organisational Scrutiny Committee and he would speak with Councillor P Gilby regarding an update from a meeting she attended.

RESOLVED –

- 1.) That more information be requested about the decision to be taken regarding the Unreasonable Complaints and Customers Policy.
- 2.) That consideration be given to the Derbyshire Clinical Commissioning Groups 21C Joined up care consultation.
- 3.) That the Forward Plan be noted.

19 WORK PROGRAMME FOR THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM

The Work Programme for the Overview and Performance Scrutiny Forum was considered. The Policy and Scrutiny Officer noted that the item on Constitution Reform had been deferred until March, 2017 unless significant progress was made at which point it could be brought forward.

RESOLVED –

That the work programme be approved.

20 JOINT OVERVIEW AND SCRUTINY

No issues were raised for Joint Overview and Scrutiny.

21 OVERVIEW AND SCRUTINY DEVELOPMENTS

The Chair reported that there had been a visit from the External Relations and Engagement Manager for East Midlands Ambulance Service (EMAS), who was seeking to develop a scrutiny contact with the Council and learn about the overview and scrutiny work at Chesterfield. An offer to visit the council and talk to all members about the work of EMAS was made. An offer to visit the call centre to see how it operates was also extended to all Members with Members of the Community, Customer and Organisational Scrutiny Committee taking priority.

The Policy and Scrutiny Officer updated Members on the Sheffield City Region Combined Authority Overview and Scrutiny Committee (SCRCA OSC) and advised that a forward plan of key decisions had now been developed by the Combined Authority and the SCRCA OSC was looking

to develop its own work programme. Members asked if the other local authorities that were part of the SCRCA had similar scrutiny arrangements to those of Chesterfield. The Policy and Scrutiny Officer advised that it was unlikely that they all operated in a similar way to Chesterfield but would need to investigate further for more information on this.

RESOLVED –

- 1) That an invitation be extended to Scrutiny Members to visit the East Midlands Ambulance Service's call centre and the Cabinet Member for Health and Wellbeing be informed of the approach and offer made by EMAS.
- 2) That the update on the Sheffield City Region Combined Authority Overview and Scrutiny Committee be noted.

22 MINUTES

The minutes of the meeting of the Overview and Performance Scrutiny Forum held on 14 June, 2016 were presented. In reference to Minute No. 5, Members raised concerns with the People Directory function on the Council's intranet. Members had also experienced issues with officer's remaining on the intranet directory after they had left the Council and their email inboxes remaining open or unmonitored. The issue had been raised with Executive Director, James Drury, in June 2016 however the situation had not been resolved. Members suggested that they should be formally notified of key people's appointments and new charts detailing management structures, including Corporate Management Team, were needed.

RESOLVED –

- 1) That the minutes be approved as a correct record and signed by the Chair.
- 2) That the Member's concerns over the ease of use of the People Directory on the Aspire intranet and need for up to date information on staffing changes be raised with HR and the Communications and Marketing Manager.

COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE

Tuesday, 5th July, 2016

Present:-

Councillor Slack (Chair)

Councillors Borrell
Dyke
Miles

Councillors Sarvent
J Barr
Flood

Councillors Terry Gilby ++
Derbyshire ++
Tricia Gilby ++
Catt ++

Councillors Huckle +++
Brown +++

Anita Cunningham, Policy and Scrutiny Officer
Kate Harley, Human Resources Manager +++
Brian Offiler, Committee and Scrutiny Coordinator
Donna Reddish, Policy and Communications Manager +

+ Attended for Minute Nos. 11 & 12

++ Attended for Minute No. 12

+++ Attended for Minute No. 13

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

No declarations of interest were received.

10 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Perkins in respect of Minute No. 12.

11 **CABINET MEMBER FOR HEALTH AND WELLBEING -
CONSULTATION ON DERBYSHIRE COUNTY COUNCIL'S ADULT
SOCIAL CARE GRANT FUNDING 2016/17 FOR NON-STATUTORY
SERVICE PRIORITIES**

The Policy and Communications Manager presented a report on Derbyshire County Council's (DCC) consultation on proposed changes to Adult Social Care Grant Funding for non-statutory service priorities.

DCC had advised voluntary and community sector providers in receipt of funding from the Adult Care budget and/or funding from Derbyshire NHS Clinical Commissioning Groups (CCGs) that the current level of funding was considered to be no longer sustainable because of further central government cuts. Funding arrangements for current recipients had been extended until September 2016 (including a three month notice of termination of funding subject to the outcome of the consultation process). It was likely that there would be proposals to use the reduced funding available to commission new services following a competitive exercise against DCC's and the CCGs' local service priorities.

The report included details of the community and voluntary organisations currently in receipt of funding, nine of which provided services to Chesterfield Borough residents.

In addition to direct discussion with these organisations, the consultation process included an online survey, events, telephone completion and written submissions, closing on 24 July, 2016. A report to enable a final decision would be considered by DCC Cabinet in September.

The Committee empathised with the position of DCC and it welcomed the consultation exercise and the opportunity for the Borough Council to participate in this.

Members expressed the view that consideration should be given to the work undertaken and outcomes achieved by each of the voluntary and community organisations in order to inform decisions on future funding to the voluntary and community sector from the Adult Care Grant Aid budget, taking account of the overall funding position of each organisation. Furthermore, Members expressed concern that such decisions should be considered in a 'joined up' approach to take account of the current North Derbyshire Clinical Commissioning Group

consultation on 'Better Care Closer to Home', in order to seek to ensure that suitable support services were available at a local level.

RESOLVED

That the Committee's comments on the DCC consultation exercise be reported to the Borough Council's Cabinet to enable a response to be submitted to DCC.

12 LEADER AND CABINET MEMBER FOR REGENERATION - CONSULTATION ON THE SHEFFIELD CITY REGION COMBINED AUTHORITY GOVERNANCE SCHEME AND REVIEW

Members of the Enterprise and Wellbeing Scrutiny Committee had been invited to attend the meeting for this item.

The Deputy Leader and the Policy and Communications Manager outlined the consultation process which was being undertaken by Sheffield City Region (SCR) in respect of the proposed devolution deal for a combined authority with a directly elected City Region Mayor. The devolution deal offered new powers and funding to improve infrastructure, transport, skills, housing and other drivers of business growth.

The Leader and Chief Executive had received positive feedback from local businesses at a presentation to Destination Chesterfield members, and information was being distributed through local newspapers (Derbyshire Times, Sheffield Star, Your Chesterfield) and radio.

There was information available on the SCR website (www.sheffieldcityregiondevolution.org.uk) and on the Borough Council's website on the devolution proposals, including on the governance arrangements for the combined authority. An online survey was available on the SCR website.

Various events had been arranged, including with Brimington Parish Council, Staveley Town Council, South Yorkshire and East Midlands Chambers of Commerce, local elected Members and a public meeting and drop in session. There was also a display at the Customer Service Centre with response forms which could be completed.

The consultation period would close on 12 August, following which an independent survey organisation would produce a technical report for the

consideration of each of the constituent Councils, with the final decision to be made by the Secretary of State.

In response to questions from Members the following points were clarified:

- There would also be social media campaigns about the consultation and leaflets and displays in public buildings. Leaflets could be supplied to Members if they wished to distribute these;
- The drop in event in the Market Hall would be in the public open space and would attempt to draw people in from outside;
- Any precept set by the Mayor would need to be for the benefit of SCR residents and would require approval from a two-thirds majority of the combined authority members;
- SCR would be responsible for public transport, but highways maintenance would remain with Derbyshire County Council.
- If Chesterfield was successful in becoming a constituent member of SCR, Derbyshire County Council would also be allocated a place on the combined authority with full voting rights.

RESOLVED

That the consultation on the Sheffield City Region Combined Authority Governance Scheme and Review be supported.

13 CABINET MEMBER FOR BUSINESS TRANSFORMATION - WORKFORCE FIT FOR THE FUTURE

The Cabinet Member for Business Transformation and the Human Resources Manager presented a report to update Members on the areas within the Workforce Strategy linking to the Scrutiny Work Programme item 'Workforce Fit for the Future' and to demonstrate how the Council was approaching the development of employees.

The Workforce Strategy which had been approved by Council in April, 2016 included themes on 'leadership, skills and capabilities' and 'talent management' and these were being progressed through the agreed

action plan, a copy of which was attached to the report in respect of these two themes.

The report also explained the recent introduction of the Apprentice Levy and Public Sector targets, which would result in a target for the Council of 16 – 23 new apprentice starts each year from September, 2017. Although the cost of training courses was not yet known, the levy would require the Council to allocate 0.5% of its payroll bill towards courses for the apprentices. It was likely that a proportion of the target would be met through existing staff being offered higher apprentice courses to enhance their development.

Arising from questions from Members and discussion the following points were raised:

- The importance of all staff having development reviews (EPDs) was stressed – Human Resources would monitor this as part of their quality assurance checks of managers' objectives;
- Opportunities for staff to regularly practice what they had learned in training, such as IT skills;
- Factors in respect of disability were considered in capability reviews;
- A cultural shift was required for managers to lead the identification of staff development priorities for their staff;
- There was a need for management tasks to be devolved to lower levels with training and support;
- It was hoped to work with Unison in providing learning opportunities.

It was requested that consideration be given to the possibility of a Scrutiny Committee Member being included on the Workforce Strategy Steering Group.

RESOLVED

- (1) That the report be noted and a progress report be brought to the Committee's meeting in January, 2017.

- (2) That the Workforce Strategy Steering Group be requested to consider whether a Scrutiny Committee Member could be included in the Group.

14 FORWARD PLAN

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

RESOLVED –

That the Forward Plan be noted.

15 SCRUTINY MONITORING

The Committee considered the Scrutiny recommendations monitoring schedule.

RESOLVED –

That the Scrutiny monitoring report be approved.

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

The Committee considered the list of items included on its Work Programme for 2016/17.

It was proposed that the items on Press Red Work and Health Scrutiny/Deprivation be deferred to the September meeting due to representatives having been unavailable for this meeting. It was therefore suggested that the item on Markets be deferred to the November meeting and that the Chair consider whether the item on Impacts of Welfare Reform be deferred to November.

RESOLVED –

- (1) That the Work Programme for the Community, Customer and Organisational Scrutiny Committee for 2016/17 be updated to defer the items on Press Red Work and Health Scrutiny/Deprivation to the September meeting and to defer the item on Markets to the November meeting.

- (2) That the Chair consider whether the item on Impacts of Welfare Reform be deferred to November.

17 SCRUTINY PROJECT GROUPS

The Committee considered the scheduling and resourcing of the proposed Scrutiny Project groups in respect of Venues and Friends of Groups. It was recognised that the Venues Group may need to delay starting its work to enable work on other Project groups to be completed.

It was confirmed that Members would be invited to express interest in joining the Project Group on Friends of Groups.

RESOLVED –

- (1) That Members be invited to express interest in joining the Project Group on Friends of Groups.
- (2) That commencement of the Venues Project Group be deferred pending completion of other Scrutiny Project Group work.

18 MINUTES

The Minutes of the meeting of the Community, Customer and Organisational Scrutiny Committee held on 24 May, 2016 were presented.

RESOLVED –

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

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ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE

Tuesday, 2nd August, 2016

Present:-

Councillor P Gilby (Chair)

Councillors Callan
Derbyshire

Councillors Sarvent
V Diouf

Councillor Jean Innes +

Mick Blythe, Client Contracts Manager +
Anita Cunningham, Policy and Scrutiny Officer
Trevor Durham, Licensing Manager +++
Martin Elliott, Committee and Scrutiny Coordinator
John Ramsey, Green Spaces Development Officer ++
Michael Rich, Executive Director +

+ Attended for Minute No.14
++ Attended for Minute Nos. 16 and 17
+++ Attended for Minute No. 17

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

No declarations of interest were received.

12 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Catt, Dyke and Perkins.

13 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

RESOLVED –

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on

the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

**14 CABINET MEMBER FOR TOWN CENTRE AND VISITOR ECONOMY -
FUTURE OF THE OLD QUEENS PARK SPORTS CENTRE**

The Assistant Cabinet Member for Town Centre and Visitor Economy, the Executive Director, Michael Rich and the Project Lead, Mick Blythe attended to provide a progress report on the demolition of the old Queen's Park Sports Centre.

The report noted that a demolition project programme for the site had been developed, with preparatory project planning having commenced in February 2016 and site demolition being targeted for completion by December 2016. It was hoped that a new scheme on the site would be delivered by December 2017, subject to appropriate consultation, planning permissions and sustainable options being agreed. It was noted however that the December 2017 project completion date could change depending on the size and complexity of the final option approved for the site.

The Executive Director noted that the planning application for the demolition of the site had now been submitted, and that it would be considered by the council's Planning Committee at the end of August. The planned six week public consultation on what should be done with the site after demolition had been scheduled to start in September, with consideration in the scheduling given to officer capacity and resources, as well as to not overloading the public given the recent referendum and current devolution consultation. It was noted that the consultation would include options which would be consistent with current Planning policy as well as the Councils Corporate priorities. The Executive Director advised that members would be kept fully informed and involved in the consultation process.

Members welcomed the fact that the application for the demolition of the old centre would be decided by the council's Planning Committee as it would demonstrate that council was taking the decision in an open, transparent and robust way. Members also noted that it had been a good decision to delay the consultation until after the summer holiday period as it would enable as many people as possible to take part in the consultation on the future use of the site.

Members thanked the Assistant Cabinet Member, the Executive Director, Michael Rich and the Project Lead, Mick Blythe for attending and providing the progress update.

RESOLVED –

1. That the progress report be noted.
2. That the Executive Director, Michael Rich be invited to the October, 2016 meeting of the Enterprise and Wellbeing Committee to provide a progress report on the consultation process on the future of the old Queen's Park Sports Centre site.

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

RESOLVED –

That the public be readmitted to the meeting.

16 CABINET MEMBER FOR HEALTH AND WELLBEING - GREEN SPACES

The Green Spaces Development Officer attended to provide a report on how the council's green spaces were being used by residents of the borough and on how the green spaces were being managed by the council. It was noted by the Chair that this item had been added to the committee's work programme as the committee were keen to examine how the council were maximising the use of its green spaces in order to meet one of the key objectives of the Council Plan which was to improve the quality of life for local people by improving their health and well-being.

The Green Spaces Development Officer advised that while there were currently no capital investments for green spaces planned by Chesterfield Borough Council, there were still numerous grants being received from a diverse range of sources including the Heritage Lottery Fund and the Landfill Tax which were allowing investment in green spaces to be made. It was also noted that investigations were being made into accessing grants from money raised by the 5p plastic bag levy. Members were informed that the friends of group at the King George V Playing Fields, Staveley had been successful in accessing grants from the Big Lottery Fund and that the money received was being used to hold activities at the

site as well as being used to develop the group so it could engage with a larger number of local residents.

Members were provided with a comprehensive list of activities happening at the parks and green spaces across the borough, which were being run by both the council and by friends of groups. Activities included tree and bulb planting, Sports Relief events, walking football, whippet racing at Poolsbrook Country Park as well as a wide range of summer holiday activities. The Green Spaces Development Officer noted that these activities were being participated in by a wide demographic of residents across the borough.

Members noted with approval the wide range of activities being offered. The Green Spaces Development Officer advised that many of these including the whippet racing club and the ladies netball league also provided a good source of revenue for the council. Members asked how the council was working with friends of groups to ensure that they were able to access as much funding as was possible, as it appeared that participation, and the subsequent success of friends groups in obtaining funding and grants, was higher in more affluent areas of the borough. The Green Spaces Development Officer advised that work was being carried out to improve participation and engagement in friends of groups in the more deprived areas in order to address this concern.

Members asked how it was decided which parks and green spaces were targeted to receive funding and grants. The Green Spaces Development Officer advised that there was a focus on the more deprived areas of the borough, but if grants or funding were available they would be pursued actively for whichever part of the borough they would benefit.

The Green Spaces Development Officer also noted that engagement work was being carried with allotment associations as it was acknowledged that allotments had not only a positive effect on health and wellbeing but also on community cohesion.

Members thanked the Green Spaces Development Officer for attending and for providing a comprehensive progress report and service overview.

RESOLVED –

1. That the progress report be noted.

2. That the Health and Wellbeing Manager be invited to the December, 2016 meeting of the Enterprise and Wellbeing Scrutiny Committee in order for the committee to receive further information about his role and his priorities for coordinating the council's approach to health and wellbeing.

17 **SCRUTINY MONITORING**

The Committee considered an update on the implementation of approved Scrutiny recommendations.

Parks and Open Spaces Strategy: The Green Spaces Development Officer submitted an updated implementation plan that provided a progress update on the Scrutiny Review Panel's recommendations on the council's Parks and Open Spaces Strategy. The written update provided details of how the strategy was being implemented since the last progress report was received by the committee in October, 2015. The committee noted their approval for how the strategy had been implemented as well as for the actions being taken to address their concerns about the shortfall of junior teams and to increase interest in playing by young people, both boys and girls. The updated implementation plan did note that with regards to football, whilst the junior game continued to thrive in the area and across Derbyshire as a whole, a steady decline in the number of adult teams was of concern. Members asked why this was occurring and were advised by the Green Spaces Development Officer that this was due to the decline and closure of pubs which had always provided a strong foundation for local leagues, people choosing to spend their leisure time differently and clubs, despite flexible payment terms being offered, being unable to pay their subs to the council.

Hackney Carriage Licence Limit: The Licensing Manager submitted an updated implementation plan that provided progress on the Scrutiny Review Panel's recommendations on the Hackney Carriage Licence Limit. The written update provided details of how the recommendations were being implemented since the last progress report was received by the committee in October, 2015. The committee noted that recommendations 2 and 3 had now been fully implemented and were satisfied that a clear written process has been put together for the inclusion of the review of Hackney carriage licence limits on the council's forward plan, and that the Appeals and Regulatory Committee were taking actions to resolve problems with the number of Hackney Carriage licences within the borough. The Licensing Manager provided members

with details regarding the upcoming survey and review of the number of Hackney carriage licences that would be happening during autumn 2016 and noted that a report regarding the results was scheduled to be submitted to the Appeals and Regulatory Committee for consideration in December, 2016.

Members thanked the Green Spaces Development Officer and the Licensing Manager for attending and providing the progress updates on the committee's recommendations.

RESOLVED –

1. That the monitoring report be approved.
2. That Playing Pitches Strategy item (EW5b), be removed from the monitoring schedule as the committee was satisfied that its recommendations had now been fully implemented.
3. That Hackney Carriages Licence Limit item (EW4), be amended to remove the monitoring of recommendations 2 and 3 as the committee was satisfied that these recommendations had now been fully implemented.
4. That the Licensing Manager be invited to the December, 2016 meeting of the Enterprise and Wellbeing Scrutiny Committee to provide a progress report on the Hackney Carriage Licence Limit Survey.

18 CORPORATE WORKING GROUPS

Councillor Perkins, as the Scrutiny representative on the Housing Revenue Account Business Plan Steering Group had been scheduled to provide the committee with a verbal update on the group's first meeting which she had attended. In her absence the Chair advised that Councillor Perkins had agreed to write a short update report to be circulated to members of the committee.

RESOLVED –

That Councillor Perkins circulates a short written report to members of the committee to provide an update on the first meeting of the Housing Revenue Account Business Plan Steering Group.

19 **FORWARD PLAN**

The Forward Plan was considered.

RESOLVED –

That the Forward Plan be noted.

20 **SCRUTINY PROJECT GROUPS**

Councillor Derbyshire, the project group Lead Member for the Play Strategy Scrutiny Project Group provided members of the committee with a progress report on the group's work and tabled the project group's scope for the committee's consideration. Councillor Derbyshire advised that the project group had held its first meeting and that plans for the group to meet with the officers who were developing the strategy had been made.

Councillor Gilby noted the importance of considering an Equalities Impact Assessment (EIA) when carrying out scrutiny project work. The completion of an EIA would allow the impact that any recommendations may have on different equality groups to be identified at an early stage. Councillor Gilby, project group Lead Member for the Sport and Cultural Activities Scrutiny Project Group, provided members of the committee with a progress report on the group's work. The final task for the project group was to review and monitor the final sign-off with the contractor. No final date had been set for this but Councillor Gilby advised that full information regarding this aspect of the project would be brought to the committee when it was available.

RESOLVED –

1. That the progress reports on the Scrutiny Project Groups be noted.
2. That the scope for the Play Strategy Scrutiny Project Group be approved.
3. That the Play Strategy Scrutiny Project Group considers completing and using an Equalities Impact Assessment (EIA) during its review.

21 WORK PROGRAMME

The Committee considered its Work Programme.

RESOLVED –

1. That the Work Programme be approved.
2. To reconfirm that the Executive Director, Michael Rich be invited to the October, 2016 meeting of the Enterprise and Wellbeing Committee to provide a progress report on the consultation process on the future of the old Queen's Park Sports Centre site.
3. To reconfirm that the Health and Wellbeing Manager be invited to the December, 2016 meeting of the Enterprise and Wellbeing Scrutiny Committee in order for the committee to receive further information about his role and his priorities for coordinating the council's approach to health and wellbeing.
4. To reconfirm that the Licensing Manager be invited to the December, 2016 meeting of the Enterprise and Wellbeing Scrutiny Committee to provide a progress report on the Hackney Carriage Licence Limit Survey
5. That the Economic Growth Manager be invited to the October meeting to report on the Northern Gateway proposals.
6. That the Economic Growth Manager be invited to the October to report on the Apprentice Town report scheduled to be submitted to Cabinet.

22 MINUTES

The Minutes of the meeting of the Committee held on 7 June, 2016 were presented.

RESOLVED –

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