

COUNCIL**Wednesday, 15th July, 2020**

Present:-

Councillor Simmons (The Mayor)

Councillors	Bagshaw	Councillors	Holmes
	Barr		J Innes
	Bingham		P Innes
	Blakemore		Kellman
	Blank		Kelly
	Borrell		Ludlow
	Brady		Mannion-Brunt
	Brittain		Mann
	Callan		Marriott
	Catt		Miles
	Caulfield		A Murphy
	D Collins		T Murphy
	L Collins		P Niblock
	Coy		S Niblock
	Davenport		Perkins
	Dyke		Perry
	G Falconer		Rayner
	K Falconer		Redihough
	Flood		Rogers
	Fordham		Sarvent
	P Gilby		Serjeant
	T Gilby		Snowdon
	Hollingworth		Thornton

101 MINUTES OF COUNCIL**RESOLVED –**

That the Minutes of the meeting of the Council held on 26 February, 2020 be approved as a correct record and be signed by the Chair.

102 **MAYOR'S COMMUNICATIONS**

The Mayor invited Members to observe a minute's silence in memory of the lives lost both within and outside the borough as a result of the Covid-19 pandemic.

He expressed his and the Mayoress' heartfelt gratitude to all the Council's staff, the NHS staff and keyworkers in the borough for their tremendous efforts to support the borough's residents, communities and businesses over recent months.

103 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Bellamy.

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

No declarations of interest were received.

105 **PUBLIC QUESTIONS TO THE COUNCIL**

Under Standing Order No. 12, the following questions were asked:

(1) by Greg Hewitt, Plastic Free Chesterfield:

"I am the Community Lead for Plastic Free Chesterfield and tonight at 7pm we are holding an online meeting on addressing people and businesses' concerns around using reusables and refillables at this time during COVID.

The Coronavirus pandemic led national cafe chains such as Cafe Nero and Starbucks refusing to accept reusable coffee cups in an attempt to prevent the virus. But last week a group of over 100 scientists responded to this confirming that it is safe to use reusable containers during the pandemic, as long as strict cleaning measures are implemented. Local Chesterfield businesses such as Lottie's Sandwich Bar, El Cafe Verde and Steph's Sustainable Stuff have taken heed of this advice and are accepting reusables and refillables.

Based on this, and also based on the council's climate emergency declaration and action plan, will Chesterfield Borough Council be

promoting reusables and refillables (reusable water bottles, reusable coffee cups, reusable containers) to Chesterfield's businesses and public?"

Councillor Serjeant, Deputy Leader, provided a verbal response, referring to:

- The Council's commitment to addressing the impact of Climate Change through its declaration of a climate emergency, the formation of the climate change working group and the development and adoption of the Council's Climate Change Action Plan;
- A range of measures taken by the Council to promote reusables and refillables within its own premises and a commitment to similarly promote the benefits of 'reduce, reuse and recycle' to Chesterfield's businesses and public.

Greg Hewitt asked a supplementary question as to whether the Council would put forward a formal motion in support of Plastic Free Chesterfield's cause, including appointing a representative to sit on the Plastic Free Chesterfield steering group.

Councillor Serjeant provided a verbal response, undertaking to progress such a motion at the next available opportunity, to engage positively with Plastic Free Chesterfield to reduce plastic consumption across the borough and to consider appointing a representative to the steering group in line with the Council's criteria for making appointments to partnerships and other external organisations.

(2) by Lisa Hopkinson, Transition Town Chesterfield:

"This time last year the council rightly declared a climate emergency. An enlightened response to the Covid emergency can help avert the climate emergency.

I understand that the £7.42 million Hollis Lane Link is to be partly funded by a £3.8 million grant from D2N2 with the balance to be funded through borrowing.

A recent TUC analysis of infrastructure investment options to build back better concluded that the best jobs for immediate job creation are construction projects including social housing building, rail upgrades,

cycle lane construction and pedestrianisation, and energy efficiency measures. These all provide the largest absolute numbers of potential direct and supply chain jobs created. The two projects scoring lowest included road building.

(https://www.tuc.org.uk/sites/default/files/TUC%20Jobs%20Recovery%20Plan_2020-06-17_proofed.pdf)

Given the immediate priority to create jobs, and the climate emergency that this council declared a year ago, wouldn't it make more sense to borrow money to fund environmentally and socially beneficial projects, such as insulating homes, than for another road that will add further carbon, air pollution and congestion to Chesterfield?"

Councillor P Gilby, Leader, provided a verbal response, referring to:

- The £3.8m grant awarded to Derbyshire County Council towards the construction of the first phase of the Hollis Lane link road from Hollis Lane to the Railway Station car park, which would include improvements to the pedestrian steps, and to Chesterfield Borough Council working with the County Council to deliver the first phase as part of the emerging overall HS2 Station masterplan;
- The link road facilitating the delivery of the wider HS2 masterplan vision for the station area, creating a significant number of jobs for Chesterfield in the longer term, including approximately 350 jobs for sites directly opened up by the first phase of road;
- The potential wider economic benefit to the town centre of being able to divert some traffic out of the town centre, increasing opportunities for regeneration, and of improving wider access to the station by walking, cycling and public transport;
- Spending for other purposes by the Council, such as £13.7m investment in its own housing stock for energy / thermal efficiency up to 2023; new build social housing projects to a value of between £10m and £14.6m by March 2022.
- The Government's announcement of a £2bn green homes grant scheme for householders and a £1bn fund to de-carbonise public buildings and social housing, which the Council would explore as more detail emerged.

Lisa Hopkinson asked a supplementary question as to whether the Council would be able to borrow funds for other projects, such as those within the Climate Change Action Plan.

Councillor P Gilby provided a verbal response confirming that the funding, including options for borrowing, of projects arising from the Climate Change Action Plan would be considered alongside all other projects and plans taking account of the Council's wider strategies and priorities.

(3) on behalf of Polly Bentley in her absence:

“How much consideration is being given to the main points of the Transition Economics analysis for Green economic regeneration in this area? (transitioneconomics.net@transition_econ)

My particular interest is in social housing, which seems not to be a priority here. (e.g. Development at the old football ground...no sign of any "properly" affordable, as opposed to "executive" housing there. Is social housing never part of the planning consent in the many new for-profit developments, e.g. old Co-op site, or are the rules too easily flouted, as with the gigantic piecemeal developments at Walton, where even the concrete bases laid to imply facilities MIGHT one day be built, have now vanished. Is Chesterfield BC allowing the development of a multitude of mini-Walton deserts?”

Councillor Serjeant, Deputy Leader, provided a verbal response, referring to:

- The Council's policy to negotiate a proportion of affordable homes as part of all new housing developments of 15 or more houses and there being a relatively low need for new affordable housing in the borough, due to a combination of high existing supply of council properties, a relatively cheap private rental sector and the availability of low-cost home ownership in Chesterfield;
- National planning policy and guidance requiring the Council to recognise the viability of development when negotiating the proportion of affordable housing, but despite this, almost 1 in every 5 dwellings built in Chesterfield between 2014 and 2019 being an affordable one;

- The new Local Plan aiming to secure a proportion of affordable housing on a range of developments, with up to 20% of properties in the west of the borough, where prices are highest;
- The commitment within the Council Plan for 2019-2023 to provide 100 new units of affordable housing in the Council's stock by 2023, including three sites under development – the former Brockwell and Heaton Court sites in Loundsley Green and Brampton respectively and Manor Drive at Brimington, and the recent purchase of ten houses from a developer to house local families from the Housing Needs Register. Further schemes were being prepared for a number of sites to enable the original target of 100 new social rent homes to be exceeded;
- The Council's Local Plan aiming to concentrate new development, as far as possible, in locations where new residents can walk to a range of facilities, including shops, schools, and health services, or where this was not possible, to work with the landowners and other agencies to provide new facilities;
- The Council's focus, over many years, to provide new quality employment opportunities for local people, such as through the construction of the innovation centres at Dunston and Tapton, the introduction of local labour clauses and support for the town centre;

The Council seeking to supplement its existing local focus with an increasingly 'green' focus to its regeneration activities through its Climate Change Action Plan, such as the current construction of a new enterprise centre on the Holywell Cross roundabout and developing plans for a sustainable community around the railway station to provide greater choices for non-car based travel.

106 **PETITIONS TO COUNCIL**

No petitions had been submitted to be presented.

The following petition was delivered by Councillor Fordham, on behalf of Mr Alan Ward:

“Ask the people of Chesterfield before anything gets renamed or removed. Allow the people of Chesterfield to decide via a poll any changes that are being considered for memorials, statues and roads.

Councillors should not be allowed to take the decision without consultation of everyone in the area.”

The petition was received.

107 **QUESTIONS TO THE LEADER**

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

- Councillor P Innes asked for information on how the decision by Cross Country Trains to reverse its earlier decision for trains to not stop at Chesterfield had come about.

The Leader provided a verbal response, explaining that on being made aware of the original decision she had written to the Cross Country Regional Director and involved the two local MPs, which had resulted in constructive discussion with Cross Country. She referred to the positive impact in this situation of the Council's partnership working on HS2 with Network Rail and the train companies in maintaining the current services for keyworkers and other passengers and in developing plans for Chesterfield station and reliable transport services in the future.

- Councillor Redihough asked whether the licensing application process would be reviewed in order to enable more detailed information to be included on the application form.

The Leader agreed to consult with officers and to then provide a written response.

- Councillor Callan asked whether Chesterfield Borough Council had been consulted on the temporary closure of Crow Lane to traffic.

The Leader provided a verbal response, expressing her disappointment that the Council had not been consulted by Derbyshire County Council on the temporary closure as part of the response to reopening the town centre and explaining that the Council's officers were now working with the County Council's officers to produce sustainable plans for the long-term.

- Councillor Marriott asked what support had been given to Chesterfield Football Club by the Council during its current crisis.

The Leader provided a verbal response, explaining that both Chesterfield Borough Council and Derbyshire County Council had agreed to each provide a loan of £0.5m, subject to final agreement of terms and due diligence tests, to the Chesterfield Community Football Trust to support its acquisition and operation of the Football Club and their roles in supporting social and economic recovery.

- Councillor Flood asked about job opportunities that could be brought to the local area as a result of the development of HS2 and how the Council could support skills development for local residents.

The Leader provided a verbal response, referring to plans being developed currently to support local school leavers, including an online service for young people to provide information and advice on apprenticeship opportunities and job application skills. She also referred to the 'HS2 and You' project, encouraging primary school children to develop an interest in science, technology and engineering skills, with the future potential for more skilled, higher paid jobs.

- Councillor Holmes asked when wider consultation would take place on the proposals being developed for the Staveley Town Deal, involving local Members, Staveley Town Council and Staveley residents.

The Leader provided a verbal response, referring to the importance of the Town Deal funding being used for the whole of the Staveley Town Council area, and confirming that a Town Deal Board had been established including representatives of Staveley Town Council, local businesses and local education providers. She explained that wider consultation with residents would take place once the vision and more concrete proposals had been developed.

- Councillor Mann asked about information on the Staveley Town Deal being provided to Staveley Town Council and whether funding would be available for investment in the high street in Staveley.

The Leader provided a verbal response, referring to recent changes announced by the government in funding for Town Deal schemes, which she expected would be discussed at the next Board meeting,

and to the process for all proposals for the allocation of the funding to be considered by the Staveley Town Deal Board.

108 GENERAL FUND BUDGET OUTTURN REPORT 2019/20

Pursuant to Cabinet Minute No. 139 (2019/20) the Acting Chief Finance Officer submitted a report on the General Fund Revenue and Capital Outturns for 2019/20. The report provided details of significant variations from the revised estimates previously approved by Cabinet on 25 February, 2020 (Cabinet Minute No. 107, 2019/20).

RESOLVED –

That the report on the General Fund Revenue and Capital Outturns for 2019/20 be noted.

109 MONTH 2 BUDGET MONITORING 2020/21 AND UPDATED MEDIUM TERM FINANCIAL PLAN

Pursuant to Cabinet Minute No. 154 (2019/20) the Acting Chief Finance Officer submitted a report outlining the budget position at the end of month 2, covering the General Fund Revenue budget, the General Fund Capital Programme and the Housing Revenue account.

RESOLVED –

1. That the general fund revenue budget financial performance in the first two months of the financial year 2020/21, as set out in section 4 of the officer's report, be noted.
2. That the new medium term financial plan, as set out in section 5 of the officer's report, be noted.
3. That the proposed changes to the medium term financial plan, as outlined in sections 4 and 5 of the officer's report, be approved.
4. That the updated capital programme, as outlined in section 6 of the officer's report, be approved.
5. That the financing of the capital programme, as outlined in paragraph 6.3 of the officer's report, be approved.

6. That the position of the Housing Revenue Account budgets, included in section 7 of the officer's report, be noted.

110 CHESTERFIELD BOROUGH LOCAL PLAN 2018 - 2035

Pursuant to Cabinet Minute No.156 (2019/20) the Strategic Planning and Key Sites Manager submitted a report on the new Chesterfield Borough Local Plan 2018-2035, including the findings of the Inspectors' Report into the examination in public of the new Chesterfield Local Plan.

RESOLVED –

1. That the Inspectors' Report, attached as appendix B to the officer's report, be noted.
2. That the Local Plan 2018-2035, attached as appendix A to the officer's report, incorporating the modifications recommended by the Planning Inspectors' Report, be adopted by the Council to meet the requirement of Section 38 of the Planning and Compulsory Purchase Act 2004.
3. That delegated authority be granted to the Strategic Planning and Key Sites Manager, in consultation with the Cabinet Member for Economic Growth, to make any minor changes (including formatting and images) necessary to make the Local Plan (that do not materially affect the Plan) and associated documents ready for printing and uploading to the council website.
4. That delegated authority be granted to the Strategic Planning and Key Sites Manager, in consultation with the Cabinet Member for Economic Growth, to make necessary changes to any Supplementary Planning Documents and informal Planning Guidance currently used by the Council to make appropriate reference to the new Local Plan.

111 UPDATE ON CIVIC ARRANGEMENTS 2020 - 2022

Pursuant to Council Minute No. 91 (2019/20) and Cabinet Minute No. 147 (2019/20), the Senior Democratic and Scrutiny Officer submitted a report outlining proposals for the remainder of the civic year 2020/21 and for 2021/22, including for the Annual Council Meeting to be held on 21

October, 2020 and for the Annual Civic Service and Parade and the Mayoral Dinner to be delayed until May 2021.

RESOLVED –

1. That Councillor Glenys Falconer be invited to become Mayor of the Borough for the period from October 2020 to May 2022.
2. That Councillor Tony Rogers be invited to become Deputy Mayor of the Borough for the period from October 2020 to May 2022.

112 EQUALITY AND DIVERSITY ANNUAL REPORT 2019/20

Pursuant to Cabinet Minute No. 146 (2019/20), the Policy Officer submitted the Equality and Diversity Annual Report for 2019/20 to update members on improvements and achievements made in delivering equality and diversity across all the council's services.

RESOLVED –

1. That the Equality and Diversity Annual Report for 2019/20, attached as Appendix 1 to the officer's report, be supported.
2. That the Equality and Diversity Annual Report 2019/20 be published on the Council's website and circulated to partners.
3. That the International Holocaust Remembrance Alliance working definition of Antisemitism be formally adopted by the Council.

113 SCRUTINY ANNUAL REPORT 2019/20

Pursuant to Overview and Performance Scrutiny Forum Minute No. 48 (2019/20) the Senior Democratic and Scrutiny Officer submitted the Scrutiny Annual Report detailing the work of the Overview and Scrutiny Committees during 2019/20 and providing an outline of overview and scrutiny work programme plans for 2020/21.

RESOLVED –

That the Scrutiny Annual Report for 2019/20, attached as Appendix A to the officer's report, be approved.

114 **REPORT OF DECISIONS TAKEN UNDER EMERGENCY DELEGATED
DECISION MAKING POWERS AND SPECIAL URGENCY
PROVISIONS**

The Senior Democratic and Scrutiny Officer submitted a report on the decisions taken under the emergency delegated decision making powers approved by the Standards and Audit Committee in March, 2020 in response to the Covid-19 pandemic and under the special urgency provisions of the Access to Information Procedure Rules within the Council's constitution.

RESOLVED –

1. That the decision notices of the Cabinet decisions delegated to the Leader of 28 April, 2020 and the Deputy Leader of 27 March and 7 April, 2020, attached as Appendices 1 – 3 to the officer's report, under the emergency delegated decision making powers be noted.
2. That the schedule of the Planning Committee and Licensing Committee decisions delegated to officers, attached as Appendix 4 to the officer's report, under the emergency delegated decision making powers be noted.
3. That the report of decisions taken under the special urgency provisions, attached as Appendix 5 to the officer's report, be noted.
4. That it be noted that the decision of the Leader on 4 June, 2020 had been taken under paragraph 15 of the Cabinet Procedure Rules in Part 4 of the Council's constitution in accordance with Section 15 (4) of the Local Government Act 2000.

115 **MINUTES OF COMMITTEE MEETINGS**

RESOLVED -

That the Minutes of the following Committees be noted:

- Appeals and Regulatory Committee of 19 and 26 February and 4 and 11 March, 2020;
- Employment and General Committee of 16 March, 2020;

- Licensing Committee of 4 March and 6, 13 and 27 May, 2020;
- Planning Committee of 17 February, 9 March, 18 May and 1 and 22 June, 2020;
- Standards and Audit Committee of 5 February, 19 March and 5 May, 2020.

116 MINUTES OF CABINET

RESOLVED –

That the Minutes of the meetings of Cabinet of 25 February, 17 March and 9 and 23 June, 2020 be noted.

117 MINUTES OF THE JOINT CABINET AND EMPLOYMENT AND GENERAL COMMITTEE

RESOLVED –

That the Minutes of the meetings of the Joint Cabinet and Employment and General Committee of 25 February and 9 June, 2020 be noted.

118 MINUTES OF THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM

RESOLVED –

That the Minutes of the meeting of the Overview and Performance Scrutiny Forum of 23 January, 2020 be approved.

119 MINUTES OF THE COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE

RESOLVED –

That the Minutes of the meeting of the Community, Customer and Organisational Scrutiny Committee of 30 January, 2020 be approved.

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

RESOLVED –

That the Minutes of the meeting of the Enterprise and Wellbeing Scrutiny Committee of 6 February, 2020 be approved.

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

One question had been submitted but subsequently withdrawn by Councillor Fordham.

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

It was moved by Councillor P Niblock and seconded by Councillor K Falconer that:

“Having declared a Climate Emergency, this Council commits with the Derbyshire Pensioners Group, Transition Chesterfield, Friends of The Earth and Divest Derbyshire in calling for the Derbyshire Pension Fund to disinvest its remaining funds in Fossil Fuels companies and to invest in Renewable Energy companies instead.”

As an amendment, it was moved by Councillor Serjeant and seconded by Councillor P Gilby that the motion be amended to read as follows:

“Having declared a Climate Emergency Chesterfield Borough Council commits with the Derbyshire Pensioners Group, Transition Chesterfield, Friends of The Earth and Divest Derbyshire in calling for the Derbyshire Pension Fund to disinvest its remaining funds in Fossil Fuels and to invest in renewables.

In addition we are calling for Derbyshire Pension Fund to strengthen engagement regarding future investment principles with all stakeholders including pension fund members and employers.”

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

On being put to the vote the motion (as amended) was declared carried.