

COUNCIL**Wednesday, 13th October, 2021**

Present:-

Councillor G Falconer (Chair)

Councillors	Bagshaw	Councillors	Hollingworth
	Barr		Holmes
	Bellamy		J Innes
	Bingham		P Innes
	Blakemore		Kellman
	Borrell		Kelly
	Brady		Mannion-Brunt
	Brittain		Mann
	Callan		Miles
	Catt		A Murphy
	Caulfield		T Murphy
	D Collins		Perry
	L Collins		Rayner
	Davenport		Redihough
	Dyke		Rogers
	K Falconer		Sarvent
	Flood		Serjeant
	Fordham		Simmons
	P Gilby		Snowdon
	T Gilby		

*Matters dealt with under the Delegation Scheme

27 **TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 21 JULY, 2021**

RESOLVED –

That the Minutes of the meeting of Council held on 21 July, 2021 be approved as a correct record and be signed by the Chair subject to the following two corrections:

- Minute No. 11 referred to remedial work on building foundations. The work had been carried out at Tapton House and not at Stephenson Memorial Hall.
- Minute No. 15. The minute should be corrected to reflect that Councillor Fordham had requested that his vote against the officer's recommendations be recorded in the minutes.

28 MAYOR'S COMMUNICATIONS

The Mayor was pleased to note a steady increase in the number of invitations to engagements she had received as lockdown restrictions eased and summarised recent events which she and the consort had attended including:

- Visits to the newly renamed Whittington Moor Nursery and Infant Academy and also Whitecotes Primary Academy;
- An inclusive activity day at Queen's Park Sports Centre;
- The opening of a new exhibition at Chesterfield Museum, created by the African and Caribbean Community Association to coincide with 'Black History Month';
- A visit to view the newly arrived National Monument Against Violence and Aggression, more commonly known as 'The Knife Angel' which was currently situated next to the parish church;
- The long-awaited Civic Service and Parade to commemorate the Mayoral year and introduce the Mayor formally to the people of Chesterfield.

The Mayor was looking forward to hosting the civic dinner later that week and having the opportunity to thank representatives of the voluntary and community sector who had so ably supported residents through the pandemic, as well as being a chance to finally sit down with family and friends to celebrate her term of office.

29 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Blank, Coy, Ludlow, Marriott, P Niblock, S Niblock, Perkins and Thornton.

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, the following question was asked by Luke Povey:

“We understand from the Assistant Director that Quarterbridge were chosen because they were the cheapest option. This was amongst other reasons. In choosing a cheap option, you also chose a company that specialises in clearing market spaces. They replace failed markets with entertainment spaces. Chesterfield does not have a failed market. There are problems, there are days on which the market does not work, and it is empty. But Quarterbridge start from the wrong assumptions. Does the Council now accept that the Vision document which was badly drafted by Quarterbridge distorted the consultation? It has given everyone the impression that this opportunity has become a risk rather than an investment in our 856-year-old weekly market. Do you agree that Quarterbridge has failed us?”

Councillor Sarvent provided a verbal response advising that she did not agree that Quarterbridge had failed the Council. Councillor Sarvent went on to explain that the Revitalising the Heart of Chesterfield scheme was not only about the market but also about setting the future direction of Chesterfield’s high street. The aim was to connect the historic squares and, above all else, sustain and boost retail and trader occupancy levels. The work had been carried out at pace to ensure that a bid could be submitted to the Government’s Levelling Up Fund and Quarterbridge had been appointed following a robust tender process. The public consultation had secured 584 responses which were being analysed. Councillor Sarvent assured Mr Povey that she did not view the public consultation as the end of engagement with the traders but rather the start of a journey together. The priority was to revitalise Chesterfield’s high street and the markets for the benefit of everyone.

Luke Povey asked a supplementary question:

“Were you aware that in January 2009 Quarterbridge submitted a report to the Communities and Local Government Select Committee? I’d like to quote a piece of that; “Quarterbridge has undertaken a detailed financial analysis and prepared business plans for many market authorities over the years which have all confirmed that council run markets are in decline, slowed only by a remarkably high shopper loyalty. Indeed, there are some

bright spots e.g., periodic farmers markets and car boot sales but we see no possibility for so-called regular open markets and market halls reversing their decline.” Given this is on the public record, do you think with hindsight it was a mistake to appoint a company that doesn’t believe that markets have a future?”

Councillor Sarvent provided a verbal response and confirmed that she was not in public office at the time the report had been published and was not aware of it. As stated previously, Quarterbridge had been chosen following a robust tender process based on a balanced assessment of quality of tender submission and price point. Quarterbridge had a role to play but it would be Chesterfield Borough Council that would be taking the project forward.

Under Standing Order No. 12, the following question was asked by Jackie Youle:

“I’m a regular trader in Chesterfield on Thursday's, Saturday's and Monday's and I hold a contract with the council. On that contract is my phone number, my email and my address. Despite this I first heard about the plans via a Social Media post saying to go to the Market Hall to see four pages of the Quarterbridge report (many aspects of which have since been withdrawn or slated by officers). When will the Council have the honesty and decency to write to every contract holder showing them the full 57-page report that it later emerged existed? The portfolio holder seems to hold market traders in such low regard that she didn't bother to attend the unveiling of the Vision Document. Neither has she spoken to traders about it and the Markets Consultative Committee keeps being postponed.”

Councillor Sarvent provided a verbal response confirming that the council wrote to all stall holders inviting them to view the emerging plans in the Market Hall back in June where the opinions of everyone that attended were noted. The draft Vision Masterplan built on these plans and was released for public consultation in July. Due to the pandemic, the consultation was largely carried out via a virtual exhibition although a physical display was also erected at the Market Hall.

All responses to the draft Vision Masterplan were being reviewed to enable this ambitious project to be finalised ready for the council’s Cabinet to consider late 2021 / early 2022. Councillor Sarvent assured Jackie Youle that she had been fully involved and engaged in the project

from the outset, regularly visiting the market to talk with and listen to traders, and that she would continue to engage with all stakeholders as the project was taken forward.

Under Standing Order No. 12, the following question was asked by Caroline Gleadall:

“Over the last four years a group of traders have endeavoured to make a success of the Saturday Market in New Square. This is now full most weeks and is a positive attraction to the town, yet there has been no support for promoting, sharing, or signposting this to the town. Reading the vision documents, it is clear that the standing market on New Square is being entirely scrapped to be replaced with only seasonal markets. Will the Council give a written guarantee now, that the regular weekly markets, especially those on a Thursday and Saturday will not be removed from New Square, now or in the future? Or is the Vision Document correct?”

Councillor Sarvent provided a verbal response expressing her gratitude to all the traders for their valuable contributions to the success of Chesterfield's markets. She documented the ways in which the council helps to promote the markets including:

- Provision of a dedicated Facebook page for the markets and market hall to which the council regularly adds content and shares content from traders. The council also responds to customer messages and enquiries;
- Publicising the markets through the Visit Chesterfield and Visit Peak District websites;
- Press releases to publicise specific events such as the 1940s market;
- Publicising the markets in the council's magazine, Your Chesterfield, which is sent to every Chesterfield household;
- Development of a packed post COVID-19 town centre events programme to drive footfall to the town.

Councillor Sarvent accepted that the draft Vision Masterplan showed New Square as a flexible events space but there would still be space to accommodate market traders where it made sense to divide the traders between two market grounds. Members were advised that it would be premature to make any commitments until all responses to the public consultation had been considered and the Masterplan had been finalised. Assurance was given that there were no immediate plans to clear New

Square of its market stalls particularly as new stall covers had recently been purchased to improve the market's appearance.

32 PETITIONS TO COUNCIL

No petitions had been received.

33 QUESTIONS TO THE LEADER

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

- Councillor Dyke commented that he was proud of the Labour majority group for bringing Council Services back in house. Councillor Dyke asked the Leader if savings had been made and jobs saved as a result.

The Leader provided a verbal response confirming that ending the Arvato contract and bringing Council Services back in house had resulted in recurring savings of £484,086 per annum, which was to be welcomed at what was a difficult time for local government. The Council had also honoured the contracts of all transferring staff.

The Council had also benefitted from the fact that £48 million of small business grants had been administered without the need to transfer the additional capacity funding that the Government had made available for that purpose to external contractors.

- Councillor Fordham noted that the Council had received a letter from the Derbyshire Police and Crime Commissioner asking for CCTV to be introduced in all taxis operating in the Borough. The Councillor sought assurances that, if this was to be adopted, the purpose would be to tackle crime and not to generate headlines.

The Leader provided a verbal response assuring Councillor Fordham and all members that Chesterfield Borough Council would continue to carry out its licensing duties to ensure the continuing safety of its residents.

- Councillor Redihough asked, given that some Conservative Councils and a local Labour controlled authority are opposed to Vision Derbyshire, why the Leader was in support of the programme.

The Leader provided a verbal response advising that most Derbyshire councils are in support of the programme, united behind a common belief that Vision Derbyshire represents a positive way to bring benefits to the people of Derbyshire without the need for local government reorganisation.

- Councillor Borrell referenced that the following day Derbyshire County Council was expected to make a decision on the Chesterfield East West Cycleway. Councillor Borrell commented that many people that should have been consulted had not and, given that the Borough Council also had reservations about the proposed Cycleway, asked if the Leader would support the notion that the County Council's decision be delayed to allow a more thorough public consultation to take place.

The Leader provided a verbal response advising that the proposed Chesterfield East West Cycleway was ultimately a County Council responsibility. The Leader had already expressed her concerns, in writing, on behalf of the residents of Brimington, and had also raised with the relevant Cabinet member at County Hall the need for the opinions of the people of Chesterfield to be taken into account. The Leader emphasised that she was not in agreement with many aspects of the Cycleway proposals for Chesterfield and hoped that members of the public would make their feelings known at the County Council meeting scheduled for the following day.

34 TREASURY MANAGEMENT ANNUAL REPORT 2020/21 AND MONITORING REPORT 2021/22

Pursuant to Standards and Audit Committee Minute No. 17 (2021/22) the Service Director - Finance submitted a report for Members to consider the Annual Treasury Management Report for 2020/21 and the council's treasury management activities for the first five months of 2021/22.

RESOLVED –

1. That the outturn prudential indicators for 2020/21 be approved.
2. That the treasury management stewardship report for 2020/21 be approved.

3. That the treasury management position for the first five months of 2021/22 be noted.
4. That the proposed in year revision to the prudential indicator for the maturity structure of borrowing be approved

35 STANDARDS AND AUDIT COMMITTEE ANNUAL REPORT 2020/21

Pursuant to Standards and Audit Committee Minute No. 5 (2021/22), the Chair of the Standards and Audit Committee, the Internal Audit Consortium Manager and the Local Government and Regulatory Law Manager submitted for Members to consider the Annual Report of the Standards and Audit Committee, attached at Appendix 1 to the officer's report, which summarised the work carried out by the Committee during the financial year 2020/21.

RESOLVED –

That the Annual Report of the Standards and Audit Committee for 2020/21 be approved.

36 VISION DERBYSHIRE – GOVERNANCE / PROGRAMME RESOURCES

The Leader reminded Members of how the Council, in co-operation with Derbyshire County Council and other Derbyshire district and borough councils, had been working for some time to develop a new collaborative approach for future joint working with the aim of improving outputs and outcomes for local Derbyshire people. This collaborative approach would enable the different councils to focus on shared ambitions and priorities, without requiring any changes to the existing structure of local government within the County.

The Council had already received a report (in October 2020) documenting the outputs from phase two of the Vision Derbyshire programme i.e., the case for change and proposition to Government, and had resolved that Vision Derbyshire be supported as the Council's preferred option for local government reform in Derbyshire.

Phase three had involved developing a programme of work, with Leaders and senior officers appointed to take forward four key ambition areas and

two other workstreams – communications and engagement, and governance.

The Leader emphasised that it was important for Chesterfield Borough Council to now affirm its formal commitment to the Vision Derbyshire programme and approve a financial contribution to the establishment of a central programme resource. It was essential that member councils demonstrated to Government that appropriate governance arrangements were in place to formally evidence their intention to progress non-structural public service reform and their collective political commitment to the approach.

The functions and responsibilities of the Joint Committee were attached to the officer's report and the Leader confirmed that member councils were not obligated to be involved in all projects and could choose some and not others.

A host authority would need to be appointed to administer the meetings, act as accountable body for any funding and employ the Vision Derbyshire programme team to ensure effective functioning of the Joint Committee.

RESOLVED –

1. That Chesterfield Borough Council continues to take an active role in progressing future phases of the Vision Derbyshire programme.
2. That the proposals for Vision Derbyshire governance, as set out in paragraphs 4.12 to 4.25 and Appendix B of the officer's report, be approved.
3. That Chesterfield Borough Council becomes a full member of the Vision Derbyshire Joint Committee, as described at paragraphs 4.12 to 4.25 and in Appendix B of the officer's report.
4. That a financial contribution be made to the resources required to implement Phase 4 of the Vision Derbyshire programme, as set out within section 7, the maximum cost of which currently stands at £52,350 per annum.
5. That Chesterfield Borough Council appoints the Leader of the Council, Cllr Tricia Gilby, as the Council's representative on the Vision Derbyshire

Joint Committee and the Deputy Leader of the Council, Cllr Amanda Serjeant, as substitute.

6. That authority be delegated to the Leader of the Council to agree by executive member decision the arrangements for Chesterfield Borough Council to act as the host authority for the Vision Derbyshire Joint Committee should it be asked to fulfil the role.

7. That it be noted that Chesterfield Borough Council will need to arrange through its existing Scrutiny Committees to review decisions made by the Vision Derbyshire Joint Committee.

8. That the Council reaffirms its commitment to Vision Derbyshire as its preferred option for local government reform given the wider context outlined in paragraphs 4.31 to 4.35 of the officer's report.

37 MINUTES OF COMMITTEE MEETINGS

RESOLVED –

That the Minutes of the following Committees be noted:

- Appeals and Regulatory Committee of 18 August, 2021, 1 September, 2021, 8 September, 2021 and 29 September, 2021
- Licensing Committee of 28 July, 2021 and 11 August, 2021
- Planning Committee of 12 July, 2021, 23 August, 2021 and 13 September, 2021
- Standards and Audit Committee of 28 July, 2021

38 TO RECEIVE THE MINUTES OF THE MEETINGS OF THE CABINET OF 20 JULY, 2021 AND 14 SEPTEMBER, 2021

RESOLVED –

That the Minutes of the meetings of Cabinet of 20 July, 2021 and 14 September, 2021 be noted.

39 TO RECEIVE THE MINUTES OF THE MEETINGS OF THE JOINT CABINET AND EMPLOYMENT AND GENERAL COMMITTEE OF 20 JULY, 2021

RESOLVED –

That the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 20 July, 2021 be noted.

40 TO RECEIVE AND ADOPT THE MINUTES OF THE MEETING OF THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM OF 1 JULY, 2021

RESOLVED –

That the Minutes of the meeting of the Overview and Performance Scrutiny Forum of 1 July, 2021 be approved.

41 TO RECEIVE AND ADOPT THE MINUTES OF THE MEETING OF THE COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE OF 8 JULY, 2021 AND 16 SEPTEMBER, 2021

RESOLVED –

That the Minutes of the meetings of the Community, Customer and Organisational Scrutiny Committee of 8 July, 2021 and 16 September, 2021 be approved.

42 TO RECEIVE AND ADOPT THE MINUTES OF THE MEETING OF THE ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE OF 15 JULY, 2021

RESOLVED –

That the Minutes of the meeting of the Enterprise and Wellbeing Scrutiny Committee of 15 July, 2021 be approved.

43 QUESTIONS UNDER STANDING ORDER NO. 19

No questions had been submitted.

44 NOTICE OF MOTION UNDER STANDING ORDER NO. 21

It was moved by Councillor Callan and seconded by Councillor D Collins that:

Planning

This Council believes planning works best when developers and the local community work together to shape local areas and deliver necessary new homes; and therefore calls on the Government to protect the right of communities to object to individual planning applications.

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