

COUNCIL**Wednesday, 22nd February, 2023**

Present:-

Councillor Rogers (Chair)

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

*Matters dealt with under the Delegation Scheme

54 **TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 14 DECEMBER, 2022**

RESOLVED –

That the Minutes of the meeting of Council held on 14 December, 2022 be approved as a correct record and be signed by the Chair.

55 **MAYOR'S COMMUNICATIONS**

The Mayor referred with sadness to the recent death of former Councillor Sarah Hollingworth. Members observed a minute's silence in her honour.

The Mayor informed Council of the following events which he and the Mayoress had attended:

- Holocaust Memorial Day where guest speaker Aida Salkic Haughton MBE, a survivor of the genocide in Bosnia and Herzegovina spoke about her experiences; and
- a celebration at Holmebrook Valley Park to mark the Holmebrook Valley Park 'walk with us' Group's tenth anniversary.

The Mayor thanked members for their support at the December Council meeting where £91.07 was raised for the Mayor's Appeal charities.

56 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors: Barr, Catt, T. Gilby, Kellman, S. Niblock, Perry, Simmons, and Snowdon.

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

Councillors: Bingham, D. Collins, Dyke, Ludlow and Thornton declared an interest in Minute No. 67 and left the Chamber for this item of business.

Councillor Mann also declared an interest in Minute No. 61 but remained in the Chamber for this item of business.

58 PUBLIC QUESTIONS TO THE COUNCIL

No questions had been received.

59 PETITIONS TO COUNCIL

In accordance with Standing Order No.13 Council debated the following petition from users and staff of the Queen's Park Sports Centre café, which had been received on 23 January 2023.

The users and staff of the Queen's Park Sports Centre café had petitioned Chesterfield Borough Council to save the café and the baristas' jobs.

The petition contained in excess of 1,000 signatures; therefore, it was referred to Council to be debated in accordance with the Council's petition scheme and Standing Order No.13.

Shelley Dale, representing users and staff at the Queen's Park Sports Centre café presented the petition.

RESOLVED –

1. That the Save the Café petitioners be thanked for submitting the petition to Chesterfield Borough Council.
2. That Chesterfield Borough Council notes the petition and the matters raised in the petition debate by both the petition organiser and members of Council.
3. That Council officers ensure that appropriate reference is made to the petition and matters raised in the petition debate within any final report prepared for the Council's Cabinet on the future of Queen's Park Sports Centre café.
4. That the Council's Cabinet, as the decision-making body with responsibility for such matters, take note of the petition and the matters raised in the petition debate when making any final decision on the future of Queen's Park Sports Centre café.

60 QUESTIONS TO THE LEADER

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

Councillor Blakemore asked the Leader for an update on how well the Vision Derbyshire Business Start Up Programme, that she leads on for all councils in Derbyshire, was progressing?

Councillor Gilby gave a verbal update and informed Council:

- that Chesterfield Borough Council had been instrumental in supporting the establishment of the Vision Derbyshire Joint Committee and in driving forward Vision Derbyshire's delivery programme.
- The Vision Derbyshire Business Start Up Programme had proven a great success with multiple entrepreneurs from right across Derbyshire and Derby City benefitting from the expertise of the network of business advisers that had appointed and the offer of up to £10k in start-up grant funding.
- As at the end of February, 107 clients had received advice from a business adviser in Chesterfield borough and several had also received start-up grant funding.
- The Vision Derbyshire Business Start Up Programme had recently been shortlisted for the Local Government Chronicle 2023 Awards in the 'Economic Support' category.

Vision Derbyshire had also uniquely positioned Derbyshire and Derby, as one of the first pathfinder areas to progress a county devolution deal alongside Nottinghamshire and Nottingham. The East Midlands Devolution Deal had been signed and published on 30 August 2022.

Councillor Wheeldon referenced that Councillor Mann, the Leader of Staveley Town Council, had said at recent meetings and on social media that Chesterfield Borough Council had failed to pass on £69k of government COVID relief money to Staveley Town Council during the pandemic and asked the Leader for an explanation.

Councillor Gilby gave a verbal response and confirmed that had Staveley Town Council applied for funding from one or more of the Covid-19 business support schemes they could potentially have received £144k in relation to Staveley Hall and the Speedwell Rooms. For some unknown reason, Staveley Town Council had not done so. In contrast, Brimington Parish Council had applied for funding in relation to Brimington Community Centre and had received £31k in Covid-19 business support funding.

Councillor Mann asked the Leader if North East Derbyshire District Council had passed down any of its COVID-19 grant funding to the North East Derbyshire areas of Eckington, Dronfield and Clay Cross.

Councillor Gilby advised that she would supply a written response to Councillor Mann.

61 STAVELEY TOWN COUNCIL FINANCIAL RESCUE PACKAGE

Pursuant to Cabinet Minute No. 94 (2022/23) the Leader of the Council submitted a report to enable members to consider whether Chesterfield Borough Council should provide a financial rescue package to Staveley Town Council.

RESOLVED -

1. That the Heads of Terms that have been developed by Chesterfield Borough Council as the basis of the financial rescue package for Staveley Town Council be approved.
2. That it be noted that the final decision on whether Staveley Town Council can borrow money from Chesterfield Borough Council rests with the Secretary of State for the Department for Levelling Up, Housing and Communities.
3. That, subject to the Secretary of State's approval, authority is delegated to the Leader of the Council and Chief Executive to make any final minor adjustments to the Heads of Terms and to sign the financial rescue package on behalf of Chesterfield Borough Council.
4. That authority be delegated to the Chief Executive in consultation with the Leader of the Council and in conjunction with the Service Director – Finance and the Property, Procurement and Contracts Law Manager to finalise the terms of the loan agreement between Chesterfield Borough Council and Staveley Town Council.
5. That the Chief Executive and Service Director – Finance be asked to update the Council's Cabinet at appropriate intervals on Staveley Town Council's compliance with the terms of the financial rescue package; this reporting to be informed by the bi-monthly financial management report that Staveley Town Council will be required to provide to Chesterfield Borough Council demonstrating that

expenditure and income performance is in line with agreed budget estimates/cashflow forecasts.

62 TREASURY MANAGEMENT STRATEGY 2023/24 (INCLUDING INVESTMENT AND CAPITAL STRATEGY)

Pursuant to Standards and Audit Committee Minute No. 40 (2022/23), the Service Director - Finance submitted a report recommending for approval the Treasury Management Strategy Statement for 2023/24, the Capital Strategy Report for 2023/24, the Investment Strategy Report for 2023/24 and the Minimum Revenue Provision (MRP) policy for 2023/24.

RESOLVED –

1. That the Treasury Management Strategy Statement 2023/24 be approved.
2. That the Capital Strategy Report 2023/24 be approved.
3. That the Investment Strategy Report 2023/24 be approved.
4. That the Minimum Revenue Provision policy 2023/24 be approved.

63 HRA BUDGET 2023/24

Pursuant to Cabinet Minute No.100 (2022/23), the Service Director – Finance submitted the forecast outturn for the Housing Revenue Account (HRA) for the current financial year, 2022/23, the draft budget for 2023/24 and the Medium-Term Financial Plan (MTFP) for the years 2023/24 through to 2026/27 for approval.

RESOLVED –

1. That the forecast outturn for the Housing Revenue Account in the current financial year, 2022/23 be noted.
2. That the draft estimates for the Housing Revenue Account for 2023/24 and future years be approved.
3. That authority be delegated to the Service Director – Housing, in consultation with the Cabinet Member for Housing and the Service

Director – Finance, to spend the one-off funding provision of £500,000 to progress service transformation projects and spend to save initiatives, and respond to possible in-year changes in legislation and/or national housing policy to ensure that the council continues to meet its statutory obligations and has a housing offer which is fit for purpose.

64 **HRA CAPITAL PROGRAMME 2023/24**

Pursuant to Cabinet Minute No. 101 (2022/23), the Service Director - Housing submitted a report to enable Council to consider the Housing Revenue Account (HRA) Capital Programme for 2023/24 and the indicative Capital Programmes for 2024/25 through to 2027/28.

RESOLVED –

1. That the Housing (Public Sector) revised Capital Programme for 2022/23 be approved.
2. That the Housing (Public Sector) Capital Programme for 2023/24 be approved and its procurement, as necessary, be authorised.
3. That the Housing (Public Sector) Capital Programmes for 2024/25 to 2027/28 be provisionally approved.
4. That authority be delegated to the Service Director – Housing, in consultation with the Cabinet Member for Housing and the Service Director – Finance, to vire between programmes as necessary, to manage and deliver the Capital Programme for 2023/24.

65 **GENERAL FUND CAPITAL PROGRAMME 2023/24**

Pursuant to Cabinet Minute No. 96 (2022/23), the Group Financial Accountant submitted a report to enable Council to consider the General Fund Capital Programme for the financial year 2023/24.

RESOLVED –

1. That the updated General Fund Capital Programme expenditure and financing be approved.

66 STANDING ORDER NO. 33 - SUSPENSION OF STANDING ORDERS**RESOLVED –**

That, in accordance with Standing Order No. 33, Standing Order No. 4 paragraph 4.3 be waived to enable the meeting to continue beyond the three hours' time limit in order to consider the following outstanding items of urgent business.

67 BUDGET AND MEDIUM-TERM FINANCIAL PLAN 2023/24

Pursuant to Cabinet Minute No. 97 (2022/23), the Service Director - Finance submitted a report on the General Fund revenue budget, the proposed budget allocations and recommended Council Tax level for approval for the financial year 2023/24.

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

FOR –**Councillors:**

Bellamy
Bingham
Blakemore
Blank
Brady
Brittain
Callan
Caulfield
D Collins
L Collins
Davenport
Dyke
G Falconer
K Falconer
Flood
P Gilby

Councillors:

Holmes
J Innes
P Innes
Ludlow
Mannion-Brunt
Marriott
Miles
A Murphy
T Murphy
P Niblock
Perkins
Rayner
Redihough
Sarvent
Serjeant
Wheeldon

Hollingworth

AGAINST -

None

ABSTENTIONS –

Coy

Rogers

RESOLVED –

1. That the updated forecast outturn for 2022/23, which presents a deficit for the financial year of £470k be noted.
2. That the overall revenue budget summary for 2023/24 be noted.
3. That the use of £1m from the Budget Risk Reserve to balance the 2023/24 budget be approved.
4. That the 2023/24 Council Tax Requirement and financing be approved.
5. That the recommended increase of the Council's share of Council Tax in each band be approved on the basis of a 2.99% increase for a Band 'D' property, in 2023/24 to £185.27.
6. That the Local Council Tax Support scheme which remains unchanged for 2023/24 be approved.
7. That the Collection Fund and the Tax Base forecasts be noted.
8. That the financial projections in the Medium-Term Financial Plan (MTFP) for 2024/25 to 2026/27 be noted.
9. That the estimated levels of reserves including maintaining the General Working Balance at £1.5m be approved.
10. That the budget risks and sensitivity analysis be noted.

The Service Director - Finance submitted a report to enable the Council, as Tax Collecting Authority, to set the Council Tax for its area for 2023/24 as required by the Local Government Finance Act 1992.

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

FOR –

Councillors:

Bellamy
Bingham
Blakemore
Blank
Borrell
Brady
Brittain
Callan
Caulfield
D Collins
L Collins
Coy
Davenport
D Collins
L Collins
Davenport
Dyke
G Falconer
K Falconer

Councillors:

Flood
Gilby
Hollingworth
Holmes
J Innes
P Innes
Ludlow
Mannion-Brunt
Marriott
Miles
A Murphy
T Murphy
P Niblock
Perkins
Rayner
Redihough
Serjeant
Sarvent
Wheeldon

AGAINST –

None

ABSTENTIONS –

Rogers

RESOLVED –

1. That it be noted, that at its meeting on 30 January 2023 the Employment and General Committee calculated the following tax base amounts for the year 2023/24 in accordance with regulations

made under Section 31B of the Local Government Finance Act 1992 as:

- (a) 30,222.43 being the tax base calculated for the whole Council area.
- (b) For those areas to which a parish precept applies:

Staveley Town Council	4,434.99
Brimington Parish Council	2,508.11

2. That the Council approves the calculation of the Council Tax requirement for the Council's own purposes for 2023/24 (excluding parish precepts) as **£5,599,310** and that the following amounts be calculated for the year 2023/24 in accordance with Sections 31 to 36 of the Act:
 - a. **£109,938,157** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act (gross expenditure) taking into account all precepts issued to it by Parish Councils;
 - b. **£103,864,660** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act (gross income including grants and the use of reserves);
 - c. **£7,066** being the deficit on the Council tax elements of the Collection Fund and **£73,798** being the deficit on the Business Rate elements;
 - d. **£6,154,361** being the amount by which the aggregate at 2.3(a) exceeds the aggregate at 2.3(b) plus 2.3(c), of the report, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year. Please note that this is the total of the Borough's requirement of **£5,599,310** plus the total parish precepts of **£555,051**.
 - e. **£203.64** being the amount at 2.3(d), divided by 2.1(a), of the report, calculated by the Council, in accordance with

Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

- f. **£555,052** being the aggregate amount of all special items (parish precepts) referred to in Section 34(1) of the Act.
- g. **£185.27** (Band 'D' Council Tax) being the amount at 2.3(e) less the result given by dividing the amount at 2.3(f) by the amount at 1(a), of the report, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates. The tax does not exceed the principles set by the Secretary of State for determining excessive tax increases and triggering a referendum.

Parts of the Council's area:

- h. The following being the amounts calculated by adding the amount at 2.3(g), to the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned in 2.3(f) divided in each case by the amount at 2.1(b), of the report, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more items relate.

Parish	Band 'D' Tax £
Staveley	297.46
Brimington	208.19

- i. The amounts given by multiplying the amounts at 2.3(g) and 2.3(h), of the report, by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation band

Part of the Council's area	Valuation Band							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Staveley Town Council	198.30	231.36	264.40	297.46	363.56	429.66	495.76	594.92
Brimington Parish Council	138.79	161.93	185.05	208.19	254.45	300.72	346.98	416.38
All other parts of the Borough	123.51	144.10	164.68	185.27	226.44	267.61	308.78	370.54

3. That it be noted that for the year 2023/24 the Derbyshire County Council, the Derbyshire Fire and Rescue Service and the Derbyshire Police & Crime Commissioner have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Precepting Authority	Valuation Band							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Derbyshire County Council	985.32	1,149.54	1,313.76	1,477.98*	1,806.42	2,134.86	2,463.30	2,955.96
Derbyshire Fire & Rescue Service	57.23	66.76	76.30	85.84	104.92	123.99	143.07	171.68
Derbyshire Police & Crime Commissioner	177.73	207.36	236.98	266.60	325.84	385.09	444.33	533.20

*The Derbyshire County Council Tax increase of 3.75% is to support the delivery of adult social care duties and responsibilities in 2023/24, equivalent to an additional £13.83 for dwellings in Council Tax Valuation Band 'D', which is included in the £1,477.98 in the table above.

4. That, having calculated the aggregate in each case of the amounts at 2.3(i) and 2.4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the

following amounts as the amounts of Council Tax for the year 2023/24 for each of the categories of dwellings shown below:

Part of the Council's area	Valuation Band							
	A 6/9	B 7/9	C 8/9	D 9/9	E 11/9	F 13/9	G 15/9	H 18/9
	£	£	£	£	£	£	£	£
Staveley Town Council	1,418.58	1,655.02	1,891.44	2,127.88	2,600.74	3,073.60	3,546.46	4,255.76
Brimington Parish Council	1,359.07	1,545.59	1,812.09	2,038.61	2,491.63	2,944.66	3,397.68	4,077.22
All other parts of the Borough	1,343.79	1,567.76	1,791.72	2,015.69	2,463.62	2,911.55	3,359.48	4,031.38

69

COUNCIL PLAN 2023-2027

Pursuant to Cabinet Minute no. 75 (2022/23) the Service Director Corporate submitted a report to Council for approval on the council's new Council Plan 2023 – 2027 which sets out the vision, priorities and key deliverables for the next four years. The report also referenced the Performance Management Framework that would be deployed to ensure delivery remained on track.

RESOLVED –

1. That the Council Plan 2023 – 2027 be approved.
2. That the Performance Management Framework for 2023 – 2027 be approved.
3. That authority be delegated to the Deputy Leader to approve minor changes to aid operational effectiveness and drafting and design changes to improve the readability and accessibility of the Council Plan.

70 GROWTH STRATEGY

Pursuant to Cabinet Minute no. 87 (2022/23) the Senior Economic Development Officer submitted a report recommending the Chesterfield Growth Strategy, for the period 2023 through 2027, for adoption and publication.

RESOLVED

1. That the Chesterfield Growth Strategy for the period 2023 through 2027 be approved.
2. That authority be delegated to the Chief Executive, in consultation with the Council Leader and Cabinet Member for Economic Growth, to make changes to the Chesterfield Growth Strategy for the period 2023 through 2027.

71 CLIMATE CHANGE STRATEGY 2023-2030

Pursuant to Cabinet Minute No. 98 (2022/2023) the Business Transformation Policy Officer submitted a report for Council to consider the council's new Climate Change Strategy for 2023 through 2030 and the Climate Change Year 1 Delivery Plan.

RESOLVED –

1. That the Climate Change Strategy for 2023 – 2030 be approved for adoption and implementation.
2. That the accompanying Climate Change Delivery Plan, which details the year one activities (2023 – 2024), be approved for adoption and implementation.
3. That Cabinet be authorised to approve annual updates to the Climate Change Delivery Plan.
4. That authority be delegated to the Service Director – Corporate, in consultation with the Deputy Leader, to make amendments to the Climate Change Delivery Plan working document between the formal review periods to enable operational effectiveness.

5. That the Corporate Climate Change budget, as set out in section 6.0 of the officer's report, which aligns with the proposals set out within the Medium-Term Financial Plan, be approved.

72 VISION DERBYSHIRE HOST ARRANGEMENTS

The Leader of the Council submitted a report seeking approval for the transfer of the Vision Derbyshire Joint Committee host authority and programme resource arrangements from Chesterfield Borough Council to Derbyshire County Council, effective from 1 April 2023.

RESOLVED

1. That the work undertaken by Chesterfield Borough Council as host authority in standing up and servicing the Vision Derbyshire Joint Committee and driving forward associated Vision Derbyshire activities during 2022 be noted.
2. That the changing context regarding Vision Derbyshire and the potential position of the programme in relation to supporting future implementation of the proposed East Midlands Devolution Deal be noted.
3. That the proposals to transfer the Vision Derbyshire host authority and programme resource arrangements from Chesterfield Borough Council to Derbyshire County Council be approved.

73 CIVIC ARRANGEMENTS 2023/24

Pursuant to Cabinet Minute 99 (2022/23), the Democratic and Elections Manager submitted a report to enable Council to confirm the arrangements for the civic year 2023/24 in respect of the following:

- a) Election of Mayor 2023/24
- b) Election of Deputy Mayor 2023/24
- c) Annual Council Meeting 2023
- d) Annual Civic Service, Parade and Mayoral Reception 2023

RESOLVED –

1. That Councillor Mick Brady be invited to become Mayor of the Borough of Chesterfield for 2023/24.
2. That Councillor Howard Burrell be invited to become Deputy Mayor of the Borough of Chesterfield for 2023/24.
3. That the Annual Council meeting be held on Wednesday 17 May 2023, followed by a civic reception.
4. That the Annual Civic Service and Parade be held on Saturday 20 May 2023.