

**CABINET****Tuesday, 3rd December, 2019**

Present:-

Councillor P Gilby (Chair)

Councillors	Serjeant Blank T Gilby Ludlow	Councillors	Holmes J Innes Sarvent
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\*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

**62 APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Mannion-Brunt.

**63 MINUTES****RESOLVED –**

That the minutes of the meeting of Cabinet held on 12 November, 2019 be approved as a correct record and signed by the Chair.

**64 FORWARD PLAN**

The Forward Plan for the four month period 1 January to 30 April, 2020 was reported for information.

**\*RESOLVED –**

That the Forward Plan be noted.

**65 DELEGATION REPORT**

Decisions taken by Cabinet Members during October and November, 2019 were reported.

**\*RESOLVED –**

That the Delegation Report be noted.

**66 MARKHAM VALE ENTERPRISE ZONE - BUSINESS RATES**

The Executive Director and the Assistant Director – Economic Growth submitted a report proposing that the Council’s policy in respect of business rates income from Markham Vale Enterprise Zone (MVEZ) be revised and that the retained business rates income be re-invested locally to support the delivery of local economic priorities in and around Chesterfield.

The Council had agreed in December, 2014 (Council Minute No. 62, 2014/15) for the retained business rates from MVEZ to be paid to the Sheffield City Region (SCR) Local Enterprise Partnership (LEP) subject to review in the event of there being a change to the Council’s membership of the SCR LEP. Following the Leader’s decision, noted by Council on 17 July, 2019 (Council Minute No. 20, 2019/20), for the Council to relinquish its membership of SCR LEP with effect from 1 April, 2020, it was now appropriate to review the Council’s policy relating to the retained business rates income from MVEZ.

Having regard to the Government’s original Enterprise Zone policy and advice received from the Government’s Cities and Local Growth Unit, it was proposed that the Council retained the business rates income associated with MVEZ from 1 April 2020, and that the income be exclusively targeted at projects, initiatives and activities that support the delivery of local economic priorities.

The report referred to the objectives set out in the Council’s Growth Strategy (2019 – 23) and to three key programme areas that had been identified as priorities for investment for the retained MVEZ business rates income – key projects delivery, economic growth activities and skills activities.

The report set out the financial, legal and risks associated with the proposals and the alternative options considered.

**\* RESOLVED –**

That Cabinet recommends to full Council that:

- (1) The Business Rates income from the Markham Vale Enterprise Zone (MVEZ) be retained by the Council from 1 April, 2020 and re-invested locally to support the delivery of local economic priorities.
- (2) The change in Business Rates policy for MVEZ be applied annually for the remaining 17 years of allowable business rates retention up to 2036/37.
- (3) Approval be given to the proposal for three key programmes of investment: key projects delivery, economic growth activities and skills activities; and that the funding be particularly targeted at unlocking and accelerating key developments and sites and delivering better outcomes for local communities.
- (4) Detailed programmes of investment be developed, with a particular emphasis on the key growth projects being progressed through the Joint Growth Board, with Derbyshire County Council; and recommendations be made to Cabinet and Council as appropriate to ensure the programmes and associated spending are approved in line with the Council's constitution.

**REASONS FOR DECISIONS**

1. To revise the Council's policy with regards to the retained business rates income from MVEZ, following the Council's decision to discontinue its membership of the SCR LEP.
2. To ensure that the retained business rates income is reinvested locally and used to support the delivery of local economic priorities in and around Chesterfield.

**67 LOCAL COUNCIL TAX SUPPORT SCHEME**

The Acting Chief Finance Officer submitted a report seeking approval for the Local Council Tax Support Scheme for 2020/21.

It was reported that the proposed scheme being recommended for adoption in 2020/21 was unchanged from 2019/20.

**\*RESOLVED –**

That Cabinet recommends to full Council that:

- (1) Approval be given to continue with the current Local Council Tax Support scheme for 2020/21. The scheme is based on The Council Tax Reduction Scheme England Regulations 2012 amended to reflect the following local decisions concerning the key principles of the scheme:
  - For those of working age the maximum amount of the Local Council Tax that will be eligible for reduction is 91.5% of their full Council Tax Liability;
  - The Council continues its policy of disregarding war pensions for the purposes of calculating income in respect of the Local Council Tax Support scheme;
  - The ‘taper’, i.e. the rate at which support is withdrawn as income increases be maintained at 20%.
- (2) Delegated powers be granted to the Chief Finance Officer in conjunction with the Cabinet Member for Business Transformation to update the 2020/21 scheme to reflect such up-ratings of premiums, allowances and non-dependent deductions as may be determined by the Department of Work and Pensions, and in respect of other minor technical changes which may be required.
- (3) Approval be given to continue the current local council tax discounts, which were originally implemented in 2013/14.

**REASON FOR DECISIONS**

To ensure that the Council is able to continue to operate a localised scheme providing council tax support from April 2020.

**68 HOUSING STRATEGY**

The Assistant Director - Housing submitted a report seeking approval of the Chesterfield Housing Strategy (2019-2023).

The Strategy (attached at Appendix A to the report) detailed the Council's proposed response to national housing policy and to the local strategic context, in particular, local issues affecting demand for housing and housing services locally.

The report outlined the consultation programme which had taken place on the draft Strategy during September and October, 2019 and responses from the consultation were attached at Appendices B and C to the officer's report.

The report set out the financial, legal and other risks associated with approval of the Strategy, and an equalities impact assessment was attached at Appendix D to the officer's report.

**\* RESOLVED –**

That Cabinet recommends to full Council that the Chesterfield Housing Strategy 2019-2023 be adopted by the Council.

**REASON FOR DECISION**

To secure the adoption of the Housing Strategy 2019-2023.

**69 DERBYSHIRE CARE LEAVER OFFER**

The Assistant Director – Policy and Communications submitted a report seeking approval for the Council to support and commit to a countywide (Derbyshire excluding Derby City) local offer for children in care and care leavers.

The report referred to the challenges that children in care and care leavers faced and to the proposed agreement between Derbyshire County Council and the Derbyshire District / Borough Councils to collaborate to create one single 'Local Children in Care and Care Leaver Offer' for Derbyshire (excluding Derby City). The report detailed the provisions included within the offer.

The report outlined the financial, legal and other risks associated with the proposals, and an equality impact assessment was attached at Appendix 2 to the officer's report.

**\* RESOLVED**

That Cabinet recommends to full Council that:

- (1) The council tax discretionary discount for eligible Derbyshire care leavers aged 18 – 25 be applied from 1 April 2020 and the Care Leaver discretionary discount policy be approved.
- (2) The other elements of the local children in care and care leaver offer (active fostering, employment, skills, apprenticeships and work experience, housing and recruitment of foster carers/supported lodgings) come into force with immediate effect.
- (3) Chesterfield Borough Council continues to work with Derbyshire County Council, Derbyshire districts/boroughs and other partners to further develop and improve the children in care and care leaver offer/care leaver covenant for Derbyshire.
- (4) A review of the Chesterfield Borough Council elements of the local care leaver offer is undertaken on an annual basis to ensure continued affordability and effectiveness.

## **REASON FOR DECISION**

To fulfil our duties within the Children and Social Care Act 2017 and provide support for vulnerable young people within the care and leaving the care of Derbyshire County Council.

## **70 ENVIRONMENTAL HEALTH FEES AND CHARGES 2020/21**

The Assistant Director - Health and Wellbeing submitted a report recommending for approval proposed fees and charges for various environmental health functions, including environmental permitting, dog control and pest control for 2020/21.

The proposed fees and charges were detailed at Appendix A of the officer's report.

### **\* RESOLVED –**

1. That the proposed fees and charges, including concessionary rates (where applicable), as detailed in Appendix A of the officer's report, be approved and implemented from 1 April 2020.

2. That the Senior Environmental Health Officer be granted discretion to offer reduced charges for micro-chipping of dogs at promotional events and campaigns associated with the mandatory chipping that came into effect in April 2016.
3. That the Senior Environmental Health Officer be granted discretion to offer an alternative enforcement option for fly-tipping offences instead of issuing a fixed penalty notice (which could include a simple caution or prosecution).

### **REASON FOR DECISIONS**

To set the Environmental Health fees and charges for 2020/21.

### **71 OUTDOOR SPORTS AND LEISURE FEES AND CHARGES 2020/21**

The Interim Assistant Director – Commercial Services submitted a report setting out proposed fees and charges for outdoor sport and leisure activities, including football, bowling, cricket and tennis facilities for 2020/21.

The proposed fees and charges were detailed at Appendix 1 of the officer's report.

#### **\* RESOLVED –**

1. That the fees and charges for outdoor sports and leisure services in 2020/21, as detailed in Appendix 1 of the officer's report, be approved and implemented from 1 April, 2020.
2. That the interim Assistant Director – Commercial Services, in consultation with the Cabinet Member for Health and Wellbeing, be authorised to vary rates for major bookings to ensure market competitiveness.

### **REASON FOR DECISIONS**

To set the Outdoor Sport and Leisure fees and charges for 2020/21.

### **72 SPORT AND LEISURE FEES AND CHARGES 2020/21**

The Assistant Director – Health and Wellbeing submitted a report seeking approval of the proposed fees and charges for 2020/21 relating to various activities and facilities provided within Queen’s Park Sports Centre and the Healthy Living Centre, Staveley.

The proposed fees and charges were detailed at Appendix A of the officer’s report.

**\* RESOLVED -**

1. That the proposed fees and charges for Sport and Leisure activities and facilities as detailed in Appendix A of the officer’s report be approved and implemented with effect from 1 April 2020.
2. That the proposals for concessionary charges be approved as outlined in Appendix A of the officer’s report and that the concessionary memberships continue as Change4Life.
3. That delegated authority be granted to the Assistant Director – Health and Wellbeing, in consultation with the Cabinet Member for Health and Wellbeing, to apply appropriate fees and charges to new activities that are introduced during the period covered by this report.
4. That, where there are promotional opportunities to stimulate usage, support the retention of customers and /or to respond to external market forces, delegated authority be granted to the Assistant Director – Health and Wellbeing, in consultation with the Cabinet Member for Health and Wellbeing, to apply appropriate fees and charges to maximise these opportunities.

**REASON FOR DECISIONS**

To set the fees and charges for Sport and Leisure activities and facilities for 2020/21.

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**CEMETERIES FEES AND CHARGES 2020/21**

The Interim Assistant Director – Commercial Services submitted a report setting out the proposed fees and charges for the Council’s cemeteries for 2020/21.

The report took account of the level of fees and charges levied by other local authorities and cemeteries providers. It also referred to the Children's Funeral Fund for England which had been established by the Government earlier in 2019 to meet the costs of burials or cremations of children under the age of 18.

The proposed fees and charges were detailed at Appendix A of the officer's report.

**\* RESOLVED –**

1. That the proposed cemeteries fees and charges for 2020/21, as detailed in Appendix A of the officer's report, be approved and implemented from 1 April, 2020.
2. That the introduction of the Children's Funeral Fund for England and the amendment of the fees and charges table at Appendix A of the officer's report regarding any fee relating to the burial of a child under the age of 18 years be noted, clarifying that fees will not be payable by the bereaved families; rather these fees will be claimed from the Children's Funeral Fund for England.

**REASONS FOR DECISIONS**

1. There has been a decline in burial numbers over recent years which has coincided with above average fee increases. It is expected that by applying the fees set out at Appendix A of the officer's report, burial numbers will be consolidated and the service will move closer towards cost recovery.
2. To generate income to contribute to the costs of providing and maintaining a burial service.

**74 CHESTERFIELD MARKETS FEES AND CHARGES 2020/21**

The Interim Assistant Director – Commercial Services submitted a report setting out the proposed fees and charges for Chesterfield's open markets and the Sunday car boot sale from 1 April, 2020.

The report included details of market occupancy, recognising the difficult trading conditions locally and nationally. It referred to benchmarking data

of other local markets and measures aimed to retain existing traders and attract new traders.

**\* RESOLVED –**

1. That there be no increase in stall fees from 1 April 2020 on the general, flea and farmers markets.
2. That there be no increase on the car boot sale fee from 1 April, 2020.
3. That there be a 10p increase on the electricity charge levied per stall, per day from 1 April, 2020.
4. That there be no increase in storage charges from 1 April, 2020.
5. That there be no increase to the publicity levy on the open market from 1 April, 2020.
6. That the Market Manager continues to have delegated authority to negotiate stall fees outside the set fees to support new traders, existing traders that are struggling to continue and larger traders occupying multiple stalls.
7. That no rent-free holiday period be granted to licensed traders for 2020/21.
8. That a review of the current operating costs be undertaken, in particular those relating to the Market cleaning arrangements within the current contract with Veolia.
9. That on completion of the market reconfiguration project a review of the pricing structure be implemented, taking into account, as one of the key project outcomes, the creation of stalls that are better positioned to attract higher footfall flows and clearer sight lines, enabling the majority of stalls to trade more effectively and creating more premium stalls, which will attract more traders and generate increased income.

**REASONS FOR DECISIONS**

1. To continue to secure a viable open air market in Chesterfield.

2. To ensure that the Council continues to receive an acceptable return on a valuable town centre asset through supporting traders during this continued economic downturn.

## 75 **CAR PARKS FEES AND CHARGES 2020/21**

The Interim Assistant Director – Commercial Services submitted a report setting out the proposed fees and charges for car parks from 1 April, 2020.

The proposed charges represented an average overall increase in parking tariffs of 3%, although the incentive parking tariffs agreed in 2016 (Minute No. 136, Cabinet 2015/16) would remain unchanged, to encourage shoppers to stay in the town centre on the three hour tariff and to be competitive to attract residents, commuters and visitors.

The proposed charges for 2020/21 were detailed in section 5 of the officer's report.

Cllr Paul Holmes asked for his vote to be recorded against the car parks fees and charges proposed for 2020/21.

### **\* RESOLVED –**

1. That from 1 April 2020 the cost to park will be 80p for up to 30 minutes, £1.60 for up to 1 hour, £2.80 for up to 2 hours, £3.00 for up to 3 hours and £4.50 for up to 4 hours in all town centre car parks.
2. That in all short stay/shoppers' car parks, as listed in paragraph 4.1 of the officer's report, from 1 April, 2020 it will cost £1.60 for each subsequent hour over 4 hours to park. In all long stay car parks (except Saltergate MSCP) the price to park over 4 hours will be £5.00 (up to 12 hours).
3. That the price to park at Saltergate MSCP will be £6 for over 5 hours and up to 24 hours from 1 April 2020, as a stand-alone tariff with Saltergate being the only 24 hour charging car park.
4. That all residents of the borough will continue to benefit from free parking in 2020/21 before 10am and after 3pm Monday to Saturday

and all day Sunday and on Bank Holidays at selected surface car parks using the Resident Parking Permit.

5. That if the income target is achieved in 2020/21 there will be no increase in tariffs in 2021/22 but the prices will be reviewed for 2022/23.
6. That delegated authority be granted to the Town Centre Operations Manager to negotiate monthly and annual permit prices as necessary to attract new business and be competitive with competitor offers, as recommended in the July 2019 Car Park audit.

## **REASONS FOR DECISIONS**

1. To continue to support the town centre economy, providing competitively priced car parks with simple charging structures and convenient payment methods and tariffs.
2. To ensure that the Council continues to receive an acceptable return on a valuable town centre asset.