

CABINET**Tuesday, 14th December, 2021**

Present:-

Councillor P Gilby (Chair)

Councillors Blank
D Collins
Holmes
J Innes

Councillors Ludlow
Mannion-Brunt
Sarvent
Serjeant

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

57 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor P Innes.

58 MINUTES**RESOLVED –**

That the minutes of the meeting of Cabinet held on 23 November, 2021 be approved as a correct record and signed by the Chair.

59 FORWARD PLAN

The Forward Plan for the four month period 1 January to 30 April, 2022 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

60 DELEGATION REPORT

Decisions taken by Cabinet Members during October and December, 2021 were reported.

***RESOLVED –**

That the Delegation Report be noted.

61 GENERAL FUND REVENUE BUDGET SUMMARY

The Service Director - Finance submitted a report providing an updated assessment of the Council's forecast budget position for 2021/22 and future financial years.

Solid progress had been made to address the forecast deficit position for 2021/22, which had been reported at the end of Quarter 2. A balanced year-end position was now forecast. The report attributed this improved position to the receipt of additional Cultural Recovery Fund grant funding of £153k to offset the impact of the covid-19 pandemic on the running costs of the council's cultural venues and museums, new burdens grant funding of £62k and extra income from fees and charges.

The report also provided an update on the council's Medium-Term financial position. This showed a projected deficit for 2022/23 of £12k, increasing to £181k by 2025/26.

***RESOLVED –**

1. That the updated budget projections for 2021/22, which forecast a balanced position, be noted.
2. That the progress made in the development of the budget for 2022/23 and the Medium-Term Financial Plan (MTFP) for years 2022/23 to 2025/26 be noted.
3. That the progress made in the development of the Organisation Development Programme and the incorporation of budget savings into an overall change programme be noted.
4. That Cabinet notes that work continues to refine the draft estimates for 2022/23 and future financial years, and to identify ways in which a balanced budget can be achieved, and that this will form part of the MTFP Council report in February 2022.

REASON FOR DECISIONS

1. To present an updated assessment of the Council's forecast outturn for 2021/22 and progress in addressing the deficit in year.
2. To set out the context of the financial environment for the medium term and present the Council's first phase of its draft budget and MTFP setting proposals for 2022/23 to 2025/26.

62 CEMETERIES FEES AND CHARGES 2022/2023

The Bereavement Services Manager submitted a report setting out the proposed fees and charges for the Council's cemeteries for 2022/23.

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

***RESOLVED –**

1. That the 2022/23 fees and charges, as detailed in Appendix A of the officer's report, be approved.
2. That a new fee of £25.00 for the Transfer of the Exclusive Right of Burial (ERB) be approved.
3. That a new fee of £150.00 for the 'top up' of 50 years on the Exclusive Right of Burial (ERB) after expiry be approved.
4. That a new fee of £45.00 for the removal of a memorial from the grave prior to digging where it is safe and straightforward to do so be approved.
5. That a new fee of £45.00 for the making safe of a memorial where it is safe and straightforward to do so and where the nearest surviving relatives can be traced be approved.

REASON FOR DECISIONS

To generate income to contribute to the costs of providing and maintaining a burial service.

63 PLAYING PITCHES FEES AND CHARGES 2022/23

The Environmental Services Manager submitted a report setting out the proposed fees and charges for playing pitches and outdoor leisure facilities for 2022/23.

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

***RESOLVED –**

1. That the fees and charges, as detailed in appendix A of the officer's report, be introduced from 1 April 2022 for:
 - The hire of football pitches
 - The hire of cricket pitches
 - The hire of recreation grounds
 - The hire of community rooms in parks
 - Launching fees at Poolsbrook Country Park
 - The hire of the netball court at Eastwood Park.
 - The hire of the Petanque facility at Eastwood park
2. That the fees for the following facilities be increased on an individual basis:
 - Catering rights to £100 per unit/stall.
 - Permits for metal detecting to £30.
 - Permits for commercial fitness coaches to £110.
3. That should the new facilities for tennis be available before 1 April 2023 the decision on fees and charges for the remainder of 22/23 be delegated to the Cabinet Member for Health and Wellbeing for approval.
4. That no increase to the charges for the Miniature train be applied.

REASON FOR DECISIONS

To comply with the Council's Budget Strategy, the annual review of fees and charges should aim to recover at least the full cost of the service except where there is an opportunity to maximise income or Members determine a reduction or subsidy should be made for a specific reason.

In preparing this report, due regard has been made to the Council's budget strategy and the need to support the development of a balanced and sustainable budget.

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64 WASTE MANAGEMENT FEES AND CHARGES 2022/23

The Environmental Services Manager submitted a report setting out the proposed fees and charges for the collection and disposal of waste for 2022/23.

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

***RESOLVED –**

1. That the proposed fees and charges, as detailed in Appendix 1 of the officer's report, be approved and implemented from 1 April 2022 in relation to the following services:
 - The cost of collection and disposal of trade waste
 - The cost of collection and disposal of chargeable household waste
 - The collection and disposal of bulky household items
 - The collection and disposal of trade waste from charity shops
 - The collection and disposal of trade waste from registered charities
 - The collection and disposal of waste from mixed hereditament properties
 - One off waste collection
 - The provisions of new wheeled bins to domestic properties (new builds)

REASON FOR DECISIONS

To comply with the Council's Budget Strategy.

65 ENVIRONMENTAL HEALTH FEES AND CHARGES 2022/23

The Senior Environmental Health Officer submitted a report setting out the proposed fees and charges for various environmental health functions for 2022/23.

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

***RESOLVED –**

1. That the proposed fees and charges, including concessionary rates (where applicable), as detailed in Appendix 1 of the officer's report, be approved and implemented with effect from 1st April 2022.
2. That the Senior Environmental Health Officer be granted delegated authority to continue to have 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 delegated authority to continue to have discretion to offer an alternative enforcement option for fly-tipping offences instead of issuing a fixed penalty notice (this could include a simple caution or prosecution).

REASON FOR DECISIONS

In accordance with the Council's Financial Regulations, it is necessary for all fees and charges to be reviewed annually.

66

SPORT AND LEISURE FEES AND CHARGES 2022/23

The Service Director – Leisure, Culture and Community Wellbeing submitted a report setting out the proposed fees and charges for sport and leisure activities at Queen's Park Sports Centre and Staveley Healthy Living Centre for 2022/23.

The proposed fees and charges were detailed in Appendix 2 of the officer's report.

***RESOLVED –**

1. That the proposed fees and charges, as detailed in Appendix A of the officer's report, be approved and implemented from 1 April 2022 until 31 March 2023.
2. That the Service Director – Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Health and Wellbeing, be granted delegated authority to apply appropriate fees and charges to new activities that are introduced during the period covered by this report.
3. That the Service Director – Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Health and Wellbeing, be granted delegated authority to adjust the approved fees and charges to maximise promotional opportunities to stimulate usage, support the retention of customers and/or to respond to external market forces.

REASON FOR DECISIONS

In accordance with the Council's Financial Regulations, it is necessary for fees and charges to be reviewed annually.

67 CHESTERFIELD MARKET FEES AND CHARGES 2022/23

The Town Centre Operations Manager submitted a report setting out the proposed fees and charges for Chesterfield's open markets and the Sunday Car Boot sale for 2022/23.

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

***RESOLVED –**

1. That the fees and charges for the Chesterfield Open Markets for 2022- 23, as detailed in Appendix 1 of the officer's report, be approved.
2. That the agreed 2021-22 rates of Fees and Charges be fully reinstated from Monday 28 February 2022.
3. That the concessionary stall rate of £10 per stall remain in place until Monday 28 February 2022.

4. That, as part of the market reconfiguration project being undertaken between 2021 and 2023, a review of the pricing structure be made during this time, identifying the premium and secondary pitches, following best practice adopted nationally and ensuring a value for money approach is taken to realise the full income potential of the market. These fees to be adopted for 2023-24, subject to the necessary consultation and approvals procedures.
5. That the Service Director for Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Town Centres and Visitor Economy, be granted delegated authority to apply appropriate negotiated fees for new activities and opportunities that are introduced during the period covered by this report.

REASONS FOR DECISIONS

1. Supporting the town centre economy is a key priority for the Council. The Council recognises the importance of investing in town centre support and the need for a long-term recovery plan. It is felt that any increase in market fees would have an adverse effect on this strategy at this time.
2. In line with delegated authority, and with both Portfolio holder and SLT approval, concessionary rates for Traders have been in place since 23 March 2020, initially free rent until July 2020, £5 until September 2020 and currently £10, all per stall, across all market days. This is deemed necessary to support the market.
3. The impact of COVID-19 significantly reduced Markets income to the Council in 2021/22 however trader numbers have started to return to more normal levels of occupancy. It is anticipated that by 2022/23 levels will be back to pre-pandemic numbers.
4. As part of the Revitalising the Heart of Chesterfield project the open market is set to benefit from a £1.15 million intervention alongside a wider Northern Gateway and public realm scheme. It is anticipated that this will support, strengthen and re-invigorate the market area ensuring it bounces back from COVID-19 and is ready to meet the future demands of the town centre.

5. It is imperative that the Council receives an acceptable return from the Market. The Council's budget strategy is to deliver a balanced and sustainable budget. Given the forecast budget challenges it is important that all income streams are reviewed to support the delivery of a sustainable budget. As such it is appropriate to re-instate in full the stall fees agreed for 2021-22 to assist the Council in achieving a balanced budget for 2022/23.

68 **VENUES FEES AND CHARGES 2022/23**

The Arts and Venues Manager submitted a report setting out the proposed fees and charges for venue and equipment hire at the Pomegranate Theatre, The Winding Wheel Theatre, the Market Hall Assembly Rooms and Hasland Village Hall for 2022/23.

The proposed fees and charges were detailed in Appendices A to E of the officer's report.

***RESOLVED –**

1. That the proposed theatre hire charges for the Pomegranate Theatre, as detailed in Appendix A of the officer's report, be approved and implemented from 1 April 2022.
2. That the proposed room hire charges for the Winding Wheel Theatre, as detailed in Appendix B of the officer's report, be approved and implemented from 1 April 2022.
3. That the proposed equipment hire charges at the Winding Wheel Theatre, as detailed in Appendix B of the officer's report, be approved and implemented from 1 April 2022.
4. That the proposed theatre hire charges for the Winding Wheel Theatre for professional companies and commercial use, as detailed in Appendix C of the officer's report, be approved and implemented from 1 April 2022.
5. That the room hire charges at the Assembly Rooms in the Market Hall, as detailed in Appendix D of the officer's report, be approved and implemented from 1 April 2022.

6. That the proposed room hire charges at Hasland Village Hall, as detailed in Appendix E of the officer's report, be approved and implemented from 1 April 2022.

REASON FOR DECISIONS

To make further progress towards a sustainable financial position for the venues.

69 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 of the Act.

70 STEPHENSON MEMORIAL HALL - STAGE 2

The Arts and Venues Manager submitted a report detailing the progress made in the development of renovation and refurbishment proposals for the Stephenson Memorial Hall.

The aims were to create an integrated cultural venue in the town centre and extend the life of one of Chesterfield's most important heritage assets.

The project would be largely funded through the Government's Levelling Up Fund following the success of the council's submission. The council had received £19.98m to support this project and a series of public realm improvements across the town centre.

The council would need to match the funding received with a further allocation of funds to be met through prudential borrowing.

***RESOLVED –**

1. That it be recommend to Council that:

- a) the renovation and refurbishment project for the Stephenson Memorial Hall in Chesterfield be approved and that the scheme be added to the Council's capital programme.
 - b) the funding of the capital works through a combination of funding secured through the Levelling Up Fund and prudential borrowing be authorised.
2. That the Theatre Restoration Levy increase to £2 per ticket for all theatre productions from when the refurbished building reopens be approved.
 3. That, as set out in the addendum to the report, a further stage report be presented to Cabinet following the receipt of tenders for the appointment of the main construction partner.
 4. That delegated authority be granted to the Service Director - Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Town Centres and Visitor Economy, the Service Director for Finance and the Service Director for Economic Growth, to confirm the award of tender for the procurement of the design team, and the award of sequential tenders for the procurement of the enabling works, construction and fit out.

REASONS FOR DECISIONS

1. To ensure that the Stephenson Memorial Hall is restored and refurbished so that it can be enjoyed by the residents and visitors of Chesterfield for many years to come.
2. To create a landmark building which makes a statement about civic pride, and renews an important heritage asset.
3. To develop and improve the cultural services offered in the Pomegranate Theatre and Chesterfield Museum so that they are able to attract increased numbers of visitors, and therefore have a sustainable future.