

COUNCIL MEETING**Thursday, 27th February, 2014**

Present:-

The Mayor

Councillors	Bagley	Hollingworth
	Barr	Huckle
	Bellamy	Innes
	Bingham	King
	Blank	Lang
	Borrell	Ludlow
	Bradford	McManus
	Brittain	Miles
	Brown	Avis Murphy
	Burrows	Tom Murphy
	Clarke	Niblock
	Collard	Parsons
	Davenport	Mark Rayner
	Elliott	Neil Rayner
	Flood	Russell
	Gibson	Serjeant
	Gilby	Simmons
	Hawksworth	Slack
	Higginbottom	David Stone
	Hill	Martin Stone

70 MINUTES**RESOLVED –**

That the Minutes of the meetings of Council held on 18 December, 2013 and 29 January, 2014, be approved as a correct record, and signed by the Chair.

71 MAYOR'S COMMUNICATIONS

The Mayor referred to the health status of the former MP for Chesterfield, Tony Benn, which was a matter of serious concern, and extended the

best wishes of the Council to Mr Benn and to Mr Benn's family for his speedy recovery.

He also referred to the following Mayoral engagements:-

- A visit to the Roundhouse at Barrow Hill on Friday 7 February, 2014.
- Attendance at a celebration event for the Chinese New Year on 17 February, 2014.
- Attendance at the judging process of the Young Enterprise Awards held at the Assembly Rooms in the Market Hall on 27 February, 2014.

The Mayor congratulated all those who had been associated with the refurbishment of the Market Hall, on winning the 'Best Small Indoor Market' award at the national NABMA Market of the Year Awards 2014. And, also the Council's Economic Development team on being named 'Placemaking Team of the Year' at the national Regeneration and Renewal Placemaking Awards 2014.

He also offered the Council's congratulations to Chesterfield Football Club for reaching the final of the Johnstone's Paint Trophy at Wembley for the second time in three years.

72 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Callan, Diouf, Fanshawe and Morgan.

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

No declarations of interest were received.

74 PUBLIC QUESTIONS TO THE COUNCIL

There were no questions.

75 PETITIONS TO COUNCIL

No petitions had been received.

76 HOUSING CAPITAL PROGRAMME: NEW PROGRAMME FOR 2014/15, 2015/16 AND 2016/17

Pursuant to Cabinet Minute No. 163, the Service Manager – Business Planning and Strategy submitted a report to seek Council approval for the public sector housing ‘capital’ programme for 2014/15 and the provisional capital programmes for 2015/16 and 2016/17.

RESOLVED –

- (1) That the Housing (Public Sector) Capital Programme for 2014/15 be approved and its procurement, as necessary, be authorised.
- (2) That the provisional Housing (Public Sector) Capital Programmes for 2015/16 and 2016/17 be noted.
- (3) That the Housing Service’s Operational Services Division’s share of the 2014/15 Programme be approved.
- (4) That the Housing Service Manager – Business Planning and Strategy be authorised to vire between programme heads and budgets to manage the Capital Programme as set out in the report.

77 CAPITAL STRATEGY AND GENERAL FUND CAPITAL PROGRAMME 2013/14 TO 2016/17

Pursuant to Cabinet Minute No. 158, the Head of Finance submitted a report to seek Council approval for the General Fund Capital Programme for 2013/14 to 2016/17.

RESOLVED –

- (1) That the updated General Fund Capital Programme expenditure and financing arrangements for 2013/14 through to 2016/17 be approved.
- (2) That approval be given to use short term prudential borrowing in 2013/14 to cover any shortfall in the forecast capital receipts for the financial year (maximum £871k).

78 TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGIES

Pursuant to Cabinet Minute No. 157, the Head of Finance submitted a report to seek Council approval for the Treasury Management Strategy Statement and the Annual Investment Strategy Statement for 2014/15.

RESOLVED –

- (1) That the Council affirms its adoption of CIPFA's Code of Practice on Treasury Management.
- (2) That the Treasury Management Strategy Statement and Annual Investment Strategy, including the Prudential Code Indicators and Minimum Revenue Provision Policy, be approved.
- (3) That the contingency banking arrangements, as outlined at paragraph 6.2 of the report, be ratified.
- (4) That the inclusion of Svenska Handelsbanken on the counterparty list be approved.

79 2014/15 BUDGET AND MEDIUM TERM FINANCIAL PLAN

Pursuant to Cabinet Minute No. 155, the Chief Executive and the Head of Finance submitted a joint report to seek Council approval for the General Fund budget for 2014/15.

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

	FOR	AGAINST	ABSTENSION
H. Bagley	√		
P.I. Barr	√		
A.A. Bellamy	√		
B. Bingham	√		
S.L. Blank	√		
H. Borrell	√		
J.S. Bradford	√		
S. Brittain	√		

K. Brown	√		
J. Burrows	√		
L. Clarke	√		
C.S. Collard	√		
M. Davenport	√		
H.A. Elliott	√		
T.F. Gilby	√		
D.E. Hawksworth	√		
M.A. Higginbottom	√		
A. Hill	√		
S.E. Hollingworth	√		
J.M. Innes	√		
G.G. King	√		
V.M. Lang	√		
C. Ludlow	√		
J. McManus	√		
K. Miles	√		
T Murphy	√		
S.A. Niblock	√		
D. Parsons	√		
M.D. Rayner	√		
N.J. Rayner	√		
R.W. Russell	√		
A.J. Serjeant	√		
G. Simmons	√		
A.C. Slack	√		
D. Stone	√		
M. M. Stone	√		
P.C. Stone	√		

RESOLVED –

- (1) That the revised budget for 2013/14, as detailed at Section 5 of the report, be approved.
- (2) That the Local Government Finance Settlement, as detailed at Section 8 of the report, be noted.
- (3) That the Collection Fund and the Tax Base forecasts, as detailed at Section 12 of the report, be noted.

- (4) That the Portfolio budgets and the overall revenue budget summary for 2014/15, as detailed at Appendix A to the report, be approved.
- (5) That the Council accepts the Government's offer of a Council Tax Freeze Grant for 2014/15.
- (6) That the budget forecasts for 2014/15 and 2015/16, as detailed at Section 14 of the report, and the strategy for addressing the projected deficits, as detailed at Section 15 of the report, be noted.
- (7) That the estimates of reserves, including maintaining the General Working Balance at £1.75m, as detailed at Section 17 of the report, be approved.
- (8) That the budget risks and sensitivity analysis, as detailed at Section 20 of the report, be noted.
- (9) That the Government's Retail Relief Scheme, as outlined at paragraph 21.3 of the report, be adopted as a local scheme and authority be delegated to the Head of Finance to approve the reliefs.
- (10) That the 2014/15 Council Tax Requirement and financing, as detailed at Appendix J of the report, be approved.
- (11) That the Chief Financial Officer's assurances, as detailed at Section 25 of the report, be noted.
- (12) That the Learning and Development budget carry forward request, as detailed at Appendix L of the report, be approved.

80

COUNCIL TAX FOR 2014/15

The Head of Finance submitted a report, the purpose of which was to enable the Borough Council, as Tax Collecting Authority, to set the Council Tax for its area for 2014/15 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	AGAINST	ABSTENSION
H. Bagley	√		
A.A. Bellamy	√		
B. Bingham	√		
S.L. Blank	√		
H. Borrell	√		
J.S. Bradford	√		
S. Brittain	√		
K. Brown	√		
J. Burrows	√		
L. Clarke	√		
C.S. Collard	√		
M. Davenport	√		
H.A. Elliott	√		
T.F. Gilby	√		
D.E. Hawksworth	√		
M.A. Higginbottom	√		
A. Hill	√		
S.E. Hollingworth	√		
J.M. Innes	√		
G.G. King	√		
V.M. Lang	√		
C. Ludlow	√		
J. McManus	√		
K. Miles	√		
T Murphy	√		
S.A. Niblock	√		
D. Parsons	√		
M.D. Rayner	√		
N.J. Rayner	√		
R.W. Russell	√		
A.J. Serjeant	√		
G. Simmons	√		
A.C. Slack	√		
D. Stone	√		
M. M. Stone	√		
P.C. Stone	√		

RESOLVED –

(1) That it be noted that, at its meeting on 30 January 2014, the Employment and General Committee calculated the following tax base amounts for the year 2014/15 in accordance with regulations made under Section 31B of the Local Government Finance Act 1992 as:

- (a) 27,463.85 being the amount calculated for the whole Council area.
- (b) For those areas to which a parish precept applies:

Staveley Town Council	3,932.98
Brimington Parish Council	2,188.09

(2) That the Council approves the calculation of the Council Tax requirement for the Council's own purposes for 2014/15 (excluding parish precepts) as £3,979,237.

(3) That the following amounts be calculated for the year 2014/15 in accordance with Sections 31 to 36 of the Act:

- (a) £112,949,275 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) £108,558,520 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) £24,968 being the surplus on the Council tax elements of the Collection Fund and £46,090 being the surplus on the Business Rate elements;
- (d) £4,319,697 being the amount by which the aggregate at 3.3(a) above exceeds the aggregate at 3.3(b) above plus 3.3(c), 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 £3,979,237 plus the total parish precepts of £340,460.

- (e) £157.29 being the amount at 3.3(d) above divided by 3.1(a) above, 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) £340,460 being the aggregate amount of all special items (parish precepts) referred to in Section 34(1) of the Act.
- (g) £144.89 being the amount at 3(e) above less the result given by dividing the amount at 3(f) above by the amount at 3.1(a) above, 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 3.3(g) to the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned in 3.3(f) divided in each case by the amount at 3.1(b), 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	219.70
Brimington	166.02

- (i) The amounts given by multiplying the amounts at 3.3(g) and 3.3(h) 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 bands:

Part of the Council's area	Valuation Band							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Staveley Town Council	146.47	170.88	195.29	219.70	268.52	317.34	366.17	439.40
Brimington Parish Council	110.68	129.13	147.57	166.02	202.91	239.81	276.70	332.04
All other parts of the Borough	96.59	112.69	128.79	144.89	177.09	209.29	241.48	289.78

(4) That it be noted that for the year 2014/15 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	732.47	854.55	976.63	1,098.71	1,342.87	1,587.03	1,831.18	2,197.42
Derbyshire Fire & Rescue Service	45.63	53.24	60.84	68.45	83.66	98.87	114.08	136.90
Derbyshire Police & Crime Commissioner	113.48	132.39	151.31	170.22	208.05	245.87	283.70	340.44

(5) That, having calculated the aggregate in each case of the amounts at 3.3(i) and 3.4 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 2014/15 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	1,038.05	1,211.06	1,384.07	1,557.08	1,903.10	2,249.11	2,595.13	3,114.16
Brimington Parish Council	1,002.26	1,169.31	1,336.35	1,503.40	1,837.49	2,171.58	2,505.66	3,006.80
All other parts of the Borough	988.17	1,152.87	1,317.57	1,482.27	1,811.67	2,141.06	2,470.44	2,964.54

81 **APPROVAL OF CHESTERFIELD BOROUGH COUNCIL'S CORPORATE PLAN 2014-15**

Pursuant to Cabinet Minute No. 156, the Council's Corporate Management Team submitted a report to seek Council approval for the updated Corporate Plan for 2014/15, which replaces the Corporate Plan agreed by Council in February, 2013.

RESOLVED –

That the Corporate Plan be approved, and act as:-

- The Council's strategic framework for the financial year 2014/15
- A statement of the Council's approved key projects and programmes for the financial year 2014/15

82 **APPROVAL OF SENIOR PAY POLICY STATEMENT**

Pursuant to Cabinet Minute No. 160, the Personnel and Financial Services Manager submitted a report to seek Council approval for a revision of the current Senior Pay Policy Statement, which had been developed in accordance with the Localism Act 2011.

RESOLVED –

That the revised Senior Pay Policy Statement be approved.

83 RISK MANAGEMENT STRATEGY AND IN-YEAR REVIEW

Pursuant to Cabinet Minute No. 162, the Head of Finance submitted a report on Risk Management developments at the Council during 2013/14 together with an update on the Risk Management Policy, Strategy and Strategic Risk Register for 2014/15.

RESOLVED –

- (1) That the progress made on developing the Council's approach to risk management during 2013/14 be noted.
- (2) That the revised Risk Management Policy, Strategy and Strategic Risk Register be approved.
- (3) That the annual contribution into the Risk Management Reserve be reduced to £5000 and the maximum uncommitted balance carried forward at the end of the financial year be restricted to £5000.

84 MINUTES OF COMMITTEE MEETINGS**RESOLVED –**

That the Minutes of the following Committees be noted:-

Appeals and Regulatory Committee of 11, 17, 18 December, 2013, 8, 15, 22 and 29 January, 2014.

Employment and General Committee of 16 December, 2013 and 30 January, 2014.

Licensing Committee of 11, 17, 20 December, 2013 and 13 January, 2014.

Planning Committee of 9 December, 2013.

Standards and Audit Committee of 7 February, 2014.

85 MINUTES OF CABINET**RESOLVED –**

That the Minutes of the meetings of Cabinet of 20 December, 2013, 14, 28 January and 18 February, 2014 be noted and the recommendation at Minute No. 161(1) be approved.

86 MINUTES OF JOINT CABINET AND EMPLOYMENT AND GENERAL COMMITTEE**RESOLVED –**

That the Minutes of the Joint Cabinet and Employment and General Committee of 28 January, 2014 be noted.

87 MINUTES OVERVIEW AND PERFORMANCE SCRUTINY FORUM**RESOLVED –**

That the Minutes of the meetings of the Overview and Performance Scrutiny Forum of 28 November, 12, 19 December, 2013 and 30 January, 2014 be approved.

88 MINUTES OF COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE**RESOLVED –**

That the Minutes of the meetings of the Community, Customer and Organisational Scrutiny Committee of 5 December, 2013 and 6 February, 2014 be approved.

89 MINUTES OF ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE**RESOLVED –**

That the Minutes of the meeting of the Enterprise and Wellbeing Scrutiny Committee of 16 January, 2014 be approved.

90 **QUESTIONS UNDER STANDING ORDER NO. 20.**

There were no questions.