

COUNCIL**Wednesday, 20th July, 2022**

Present:-

Councillor Rogers (Chair)

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

*Matters dealt with under the Delegation Scheme

6 **TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETINGS OF THE COUNCIL HELD ON 27 APRIL AND 11 MAY, 2022**

RESOLVED –

That the Minutes of the meetings of Council held on 27 April, 2022 and 11 May, 2022 be approved as a correct record and be signed by the Chair.

7 **MAYOR'S COMMUNICATIONS**

The Mayor referred with sadness to the recent death of Mrs June Brown, former Liberal Democrat Councillor and Mayoress, and also the death of the council's Executive Director Ade McCormick.

June had served as a Councillor for Walton Ward from 1999 to 2011 and as the Mayoress for the civic year 2006/2007.

Ade was a valued member of the Senior Leadership Team and would be greatly missed. He was well-respected by councillors and officers alike, and had delivered so much for the people of Chesterfield.

Members observed a minute's silence in their honour.

The Mayor referred to recent events which he and the Mayoress had attended including:

- A Platinum Jubilee Service at the Parish Church to commemorate the reign of Queen Elizabeth II
- A Jubilee tea dance in the ballroom at The Winding Wheel Theatre where the Mayor and Mayoress were asked to perform the first dance
- A Service of Remembrance at Staveley Memorial Gardens to mark the 40th anniversary of the Falklands War and remember those who sacrificed their lives in the conflict
- The annual Crich Pilgrimage, which returned after a two-year break, to honour soldiers killed in action since World War One
- The annual Chesterfield Festival of Cricket in Queen's Park to see Derbyshire County Cricket Club take on Middlesex County Cricket Club

The Mayor and Mayoress were also able to welcome their first guests to the Parlour; 40 students from the Leonardo Da Vinci Campus in Germany. The young people were fascinated to hear about Chesterfield's rich history.

The Mayor thanked members for their support for the first two Mayor's Appeal events and encouraged them to attend the Medieval Market where the Mayor and Mayoress would be hosting a bottle stall.

Apologies for absence were received from Councillors Bellamy, Catt, Coy, T Gilby, Kellman, Marriott and Perry.

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

No declarations of interest were received.

10 **PUBLIC QUESTIONS TO THE COUNCIL**

Under Standing Order No. 12, the following question was asked by Martin Bruno:

There are limited historical buildings in Chesterfield and the decision to sell Tapton House truly disturbs me. The Council obviously have a passion and a desire to renovate the Stephenson Memorial Hall in the town centre and therefore had the appetite to source funding to carry out such renovations. Did the Council consider pursuing the same source of funding to renovate Tapton House or was there no such appetite to do this and have the Council considered any other viable uses for the above property?

Councillor Dean Collins provided a verbal response assuring Mr Bruno that the Council takes very seriously its responsibilities to safeguard listed buildings. Several options to sustain the future of Tapton House had been actively considered over the past three years and the Council remained open to the submission of viable propositions from the community.

Councillor Collins explained that whilst Chesterfield Borough Council has a proven track record of attracting Heritage Lottery Fund and other capital funding, such funds would only be made available to support the costs of restoring and refurbishing Tapton House where the Council could demonstrate that it had an end use where enough income could be achieved to cover the building's ongoing running costs.

The Council had fulfilled this and other tests in attracting Levelling Up Fund funding for the Stephenson Memorial Hall. Such funds also had to be defrayed quickly to tight Government timescales.

The following supplementary question was asked by Martin Bruno;

We have a petition signed by 1900 people objecting to the sale of Tapton House, would the Council consider keeping Tapton House for the people of Chesterfield?

Councillor Dean Collins provided a verbal response confirming that no decision had yet been made and that the Council had not ruled out any options at this stage.

Under Standing Order No. 12, the following question was asked by the Chief Executive on behalf of Di Treece, Friends of Tapton House:

What was the reaction of the councillor in charge of Chesterfield's heritage when the decision to sell Tapton House was made?

Councillor Dean Collins provided a verbal response explaining that he was the cabinet portfolio holder with direct responsibility for management of the Council's operational and non-operational assets and re-affirming the position stated in his earlier response that the Council had not as yet made any decision to sell Tapton House.

11 **PETITIONS TO COUNCIL**

In accordance with Standing Order No.13 Council debated the following petition from the Chesterfield Skatepark Users received on 27 April, 2022:

The Chesterfield Skatepark Users petitioned Chesterfield Borough Council to carry out minor maintenance on Chesterfield Skatepark.

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.

Jorge Sheppard, representing Chesterfield Skatepark Users presented the petition and with the support of other petitioners answered Member's questions.

RESOLVED –

1. That Jorge and his fellow petitioners be thanked for submitting the petition to Chesterfield Borough Council and raising their concerns about the current condition of Chesterfield skatepark.

2. That the immediate transfer of the urban park including Chesterfield skatepark from Henry Boot Developments to Chesterfield Borough Council be completed.
3. That the commuted sum be used to enable:
 - Repairs to be carried out to the surface of the skatepark
 - Replacement of the damaged metal coping
 - Repairs to be made to the lighting in the area
 - A new waste container to be installed
 - An exercise to be undertaken to assess the feasibility of improving seating provision at the skatepark.

12 **QUESTIONS TO THE LEADER**

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

- Councillor Holmes asked on behalf of a local resident, Elaine Cormac, how the Council intended to preserve Tapton House?

The Leader thanked Ms Cormac for her question and for an opportunity to clarify several misconceptions about the Council's intentions with regards to Tapton House. The Leader specifically referenced the misconception that the grounds of Tapton House would be included as part of the sale terms. The sales brochure had included an indicative red line in recognition of the fact that interested parties would more than likely wish to negotiate the purchase of small areas of land around Tapton House to improve privacy and security. The Council had no intention of including the surrounding parkland as part of the disposal.

- Councillor Dyke asked what plans the Council had for tennis facilities in the Borough as the tennis courts in King George V park had been removed under a previous administration.

The Leader was pleased to advise that the Council had made the decision to reinstate the tennis courts at King George V Park. It was important for all the borough's residents to have access to quality tennis courts, not just those residing in more affluent areas. The Leader also referenced that the tennis courts at Parkside School had recently been

refurbished and the Council's commitment to renovate the tennis courts in Tapton Park. These were purposeful steps to ensure equality of tennis court provision across the Borough.

- Councillor Shirley Niblock read a question from a resident, Mr Brian Heathcote asking Chesterfield Borough Council to support better standards of tax conduct by signing up to the Councils for Fair Tax Declaration. This would help tackle profit shifting, a tax avoidance strategy employed by some multinational firms and also encourage fair tax practices amongst supplier companies when buying goods and services.

The Leader sympathised with Mr Heathcote's frustration with the present Government and made reference to the fact that the Labour Party had pledged to abolish the use of the non-domicile tax status. The Leader advised that a written response to Mr Heathcote's question would be provided.

- Councillor Mann asked how much consultation had taken place with the Friends of King George V park regarding the tennis courts as he was under the impression the facilities were not wanted.

The Leader re-affirmed the Council's decision to reinstate the tennis courts and commented that such decisions were always taken in the best interests of local residents.

- Councillor Wheeldon asked how the Staveley Town Deal would benefit the young people of Inkersall, Hollingwood and Duckmanton.

The Leader thanked Councillor Wheeldon for her question and welcomed her election to the Council. The Leader explained that the needs and opinions of young people in Inkersall, Hollingwood and Duckmanton had been a key consideration in the development of the Staveley Town Deal and its component projects. The Town Deal Board's vision was for Staveley to be a place to Start, to Stay and to Grow, and paramount to this was encouraging the young people of Staveley to remain living and working within the area.

Whilst the Town Deal Board formulated its investment plan for Staveley, accelerator funds had been awarded. These funds had been used at Chantrey Road Playing Fields where the lighting and parking provisions had been improved to make it safer for parents to bring their children to

the facilities all year round. New play equipment had been installed at King George V Park and an outdoor performance canopy at Springwell School. All of these projects would benefit the young people of Staveley.

The Staveley Town Deal comprises eleven projects across the Staveley area which had been designed to ensure that everyone benefits. The Leader made specific reference to the Derbyshire Rail Industry Innovation Vehicle (DRIVE), which in time would create training opportunities and jobs for young people within the rail sector; and to the Construction Skills Hub, which would initially be based at Mastin Moor and provide young people with practical training in construction based careers incorporating green technologies and modern methods of construction.

A Wheels to Work initiative was also in development to help people of all ages access an e-bike or motorised scooter to enable them to travel to their places of employment.

- Councillor Snowdon asked when the Council would set a good example and turn off the lights on the market at night, in these times of climate change challenges and high energy costs?

The Leader commented that as part of the Council's plans to transform the town centre a new Lighting Strategy would be prepared which would seek to strike the right balance between supporting measures to address climate change and others needed to ensure public safety. It was for shop owners to decide if they wanted to keep their lights on overnight however council officers were available to offer advice on how advances in lighting technologies could help to save energy and combat climate change.

- Councillor Davenport asked if any plans were in place to provide warming rooms during the winter for residents that were not able to pay their heating bills.

The Leader confirmed that the Cabinet Member for Health and Wellbeing had been looking at this very issue, holding workshops and gaining a better understanding of residents' needs. The Council would be bringing its proposals forward in the Autumn whilst also continuing to apply pressure on the Government to do more to help the borough's residents with the Cost-of-Living Crisis.

- Councillor Sarvent noted that instances of social isolation and loneliness were increasing and asked what the Council could do to help?

The Leader advised that the Council had installed more benches to encourage people to stop and chat with one another and made specific reference to the Elder Friends project which had been running in Chesterfield and North East Derbyshire. The project linked lonely people with volunteers willing to offer company to others. Unfortunately, the project had struggled for funding and despite the pandemic highlighting the issues of loneliness it was disappointing that the Government and Derbyshire County Council had not been sympathetic to continuing to resource the project. The Leader concluded by mentioning the support that the Council's Leisure Services teams had been giving with regards fundraising efforts, one of these being a sponsored swim for The Volunteer Centre. The Leader confirmed that she would be taking part in the sponsored swim herself and would welcome any sponsorship contributions from those attending Council.

13 ELECTION TO THE BOROUGH COUNCIL - 7 JULY, 2022

The Chief Executive and Returning Officer reported that Councillor Debbie Wheeldon had been elected as Councillor for the Hollingwood & Inkersall Ward at the by-election held on 7 July, 2022.

RESOLVED –

That it be noted that Councillor Debbie Wheeldon had been elected as Councillor for the Hollingwood & Inkersall Ward.

14 CHANGES TO COMMITTEE APPOINTMENTS 2022/23

The Senior Democratic and Scrutiny Officer reported that a review of the political balance of Committees had been undertaken in accordance with Section 15 of the Local Government and Housing Act 1989, following the election of Councillor Wheeldon (the Labour Party candidate) as Councillor for the Hollingwood & Inkersall Ward on 7 July, 2022.

RESOLVED –

That the recent change to the political composition of the Council be noted and that the following changes to the membership of committees as proposed by the political groups be agreed to take effect on Monday 25 July, 2022:

Licensing Committee

- addition of Councillor Perry as a Community Independent group member

Community, Customer & Organisational Scrutiny Committee

- addition of Councillor Wheeldon as a Labour group member

Enterprise & Wellbeing Committee

- removal of Councillor Paul Mann as a Community Independent group member
- addition of Councillor Wheeldon as a Labour group member

15 **GENERAL FUND BUDGET OUTTURN 2021/22**

Pursuant to Cabinet Minute No. 14 (2022/2023) the Service Director – Finance submitted a report on the General Fund Revenue and Capital Outturns for 2021/22. The report provided details of variations from the revised estimates and also sought approval for carry forward requests.

RESOLVED –

That the report on the General Fund Revenue and Capital Outturns for 2021/22 be noted.

16 **EQUALITY AND DIVERSITY ANNUAL REPORT 2021/22**

Pursuant to Cabinet Minute No. 26 (2022/23), the Policy Officer submitted the Equality and Diversity Annual Report for 2021/22 to update members on improvements made and achievements in delivering equality and diversity across all the Council's services.

RESOLVED –

1. The Equality and Diversity Annual Report be approved.
2. The Equality and Diversity Annual Report be published on the Council's website and circulated to partners.

17 OVERVIEW AND SCRUTINY ANNUAL REPORT 2021/22

Pursuant to Overview and Performance Scrutiny Forum Minute No. 18 (2022/23) the Senior Democratic and Scrutiny Officer submitted the Scrutiny Annual Report, attached as Appendix A to the officer's report, detailing the work of the Overview and Scrutiny Committees during 2021/22 and providing an outline of the Overview and Scrutiny Work Programme for 2022/23.

RESOLVED –

That the Scrutiny Annual Report for 2021/22 be approved.

18 MINUTES OF COMMITTEE MEETINGS**RESOLVED –**

That the Minutes of the following Committees be noted:

- Appeals and Regulatory Committee of 20 April, 27 April, 4 May, 18 May, 15 June, 29 June, 29 June, 2022.
- Licensing Committee of 27 April, 2022.
- Planning Committee of 25 April, 16 May, 6 June and 27 June 2022.
- Standards and Audit Committee of 20 April, 2022.

19 TO RECEIVE THE MINUTES OF THE MEETINGS OF THE CABINET OF 5 APRIL, 26 APRIL, 17 MAY AND 21 JUNE, 2022**RESOLVED –**

That the Minutes of the meetings of Cabinet of 5 April, 26 April, 17 May and 21 June, 2022 be noted.

20 TO RECEIVE THE MINUTES OF THE MEETING OF THE JOINT CABINET AND EMPLOYMENT AND GENERAL COMMITTEE OF 21 JUNE, 2022**RESOLVED –**

That the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 21 June, 2022 be noted.

21 **TO RECEIVE AND ADOPT THE MINUTES OF THE MEETINGS OF THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM OF 24 MARCH AND 12 MAY, 2022**

RESOLVED –

That the Minutes of the meetings of the Overview and Performance Scrutiny Forum of 24 March and 12 May, 2022 be approved.

22 **TO RECEIVE AND ADOPT THE MINUTES OF THE MEETINGS OF THE COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE OF 31 MARCH AND 19 MAY, 2022**

RESOLVED –

That the Minutes of the meetings of the Community, Customer and Organisational Scrutiny Committee of 31 March and 19 May, 2022 be approved.

23 **TO RECEIVE AND ADOPT THE MINUTES OF THE MEETINGS OF THE ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE OF 7 APRIL AND 24 MAY, 2022**

RESOLVED –

That the Minutes of the meetings of the Enterprise and Wellbeing Scrutiny Committee of 7 April and 24 May, 2022 be approved.

24 **QUESTIONS UNDER STANDING ORDER NO. 19**

Under Standing Order No. 19 Councillor Fordham asked the following questions:

- “Given that suicide in the UK still runs above 10 people for every 100,000 - and that male suicide runs at 15.3 compared to female suicide at 4.8 - can I ask what progress has been made to limit the risk of suicide at the bridges of Chesterfield and what measures we have introduced with DCC, Network Rail, the Samaritans and others to limit such opportunities for suicide within the Borough?”

Councillor Mannion-Brunt provided a verbal response explaining that the Council was committed to working with partners such as the Chesterfield Health and Wellbeing Partnership and the Chesterfield Community Safety Partnership to address such concerns. It was important that colleagues from a range of disciplines and sectors came together to shape a coordinated response to suicide prevention.

The Council received regular data from Derbyshire Police and British Transport Police on deaths by suspected suicide, which enabled any high frequency locations to be identified and targeted for preventative interventions.

Derby City Council were in the process of developing a policy which would support the safe upkeep of structures and sites, such as bridges and car parks. It was proposed that once developed the policy would be shared across other partners, including District and Borough Councils, with a view to adoption. This would support the prioritisation and resourcing of preventative and mitigating measures for suicide.

Councillor Mannion-Brunt referenced the importance of adopting a community approach to prevention as 75% of people who take their lives were not known to mental health services.

Councillor Mannion-Brunt concluded by talking about the Thinkfest event which had recently been delivered in New Square. There was free training available for staff and volunteers in the public and voluntary sectors to become Mental Health First Aiders or to be trained in suicide awareness. Training uptake from attendees at the Chesterfield event had been the highest in the County.

- Can the council be updated on the roll out of segregated waste collection in the public rubbish bins in and around the Town Centre and by local shops in and around the Borough?

Councillor Mannion-Brunt provided a verbal response confirming that segregated recycling bins had been introduced into the town centre as part of a pilot scheme to understand whether this was an appropriate and effective way for the Council to encourage 'recycling on the go'.

The Council had recently responded to three specific DEFRA recycling related consultations, the results of which would likely result in major

changes in the collection and processing of waste. It was therefore essential for the authority to reflect on these consultations as they would inform local, regional, and national policy and approaches to recycling. The Council's future approach needed to be in line with these policy changes. It had therefore been decided not to widen the current pilot scheme.

Councillor Mannion-Brunt concluded by referencing Recycle Week 2022 which was in September. The Council would be developing a communications plan to further educate residents and address common recycling misconceptions.

25 NOTICE OF MOTION UNDER STANDING ORDER NO. 21

It was moved by Councillor Holmes and seconded by Councillor Hollingworth that:

Tapton House

Chesterfield Borough Council notes that Tapton House is one of the most attractive examples of architecture in Chesterfield and certainly the finest owned by CBC. Apart from the visual aspect of the House and the much valued community use of the grounds, it is also important in the heritage of Chesterfield.

The story of Stephenson is well known. The role of the Markham family was however even greater in terms of the economic development of Chesterfield and Staveley. Further still the Markham family played an important role in the political and social life of the Town being involved in slum clearance to improve living conditions and in school expansion for all. Violet Markham was also a pioneer as the first female Mayor of Chesterfield.

If Chesterfield really wishes to celebrate its own heritage and develop as a Tourist Town, then it needs to make the most of major assets such as Tapton House.

Chesterfield Borough Council resolves that:

1. Tapton House should remain in the ownership of CBC.

2. Tapton House will immediately be withdrawn from sale.
3. Interested Community Groups will be invited to contribute ideas about future use and possible community involvement.
4. Detailed options and costings will be drawn up for the various uses that Tapton House can be put to.
5. All Cllrs will be involved in a public discussion as to which option the Council will adopt.

It was moved by Councillor Dean Collins and seconded by Councillor Serjeant that the motion be amended to read as follows:

Tapton House

Tapton House is a grade II* listed building on account of its fine interiors and association with George Stephenson, the railway engineer. As such, it is an important part of the heritage of Chesterfield.

The story of Stephenson is well known. The story of the Markham family is equally well known in terms of their role in the economic development of Chesterfield and Staveley and in the political and social life of the Town being involved in slum clearance to improve living conditions and in school expansion for all. Violet Markham was also a pioneer as the first female Mayor of Chesterfield.

Chesterfield Borough Council owns multiple listed buildings – Chesterfield Town Hall, Stephenson Memorial Hall, Barrow Hill Roundhouse, The Winding Wheel Theatre, Revolution House – and as such takes its cultural and heritage responsibilities very seriously. Enhancing the town's cultural and heritage offer is also one of seven priority actions within the council's newly adopted Visitor Economy Strategy. We therefore fully recognise our responsibilities when dealing with important assets such as Tapton House.

Chesterfield Borough Council resolves that:

1. Tapton House should remain in the freehold ownership of Chesterfield Borough Council.
2. Tapton House will remain on the market until early September to enable as many interested parties as possible to come forward with ideas for the future use of the building.

3. Interested Community Groups are welcome to contribute viable ideas about the future use of the building and possible community involvement.
4. Alternative options will be presented for consideration, as is routinely the case, when a final decision is to be taken on the future use of Tapton House.
5. The final decision will be made by the decision-making body that is prescribed within the council's constitution as having responsibility for such matters.

A recorded vote was taken on the amendment and votes cast as follows:

FOR –

Councillors:

Blakemore
Blank
Brady
Brittain
Callan
Caulfield
D Collins
L Collins
Dyke
Flood
P Gilby
J Innes

Councillors:

P Innes
Kelly
Ludlow
Mannion-Brunt
Miles
A Murphy
T Murphy
Perkins
Rayner
Sarvent
Serjeant
Wheeldon

AGAINST –

Councillors:

P Barr
Bingham
Borrell
Davenport
G Falconer
K Falconer
Fordham
Hollingworth

Councillors:

Holmes
Mann
P Niblock
S Niblock
Redihough
Rogers
Snowdon
Thornton

ABSTENTIONS –

None

The amendment to the motion was declared carried.

On being put to the vote the motion (as amended) was declared carried.