

COUNCIL**Monday, 15th May, 2023**

Present:-

Councillor Rogers (Chair)

Councillors	Bagley	Councillors	P Innes
	Baldauf-Good		Jacobs
	B Bingham		Kellman
	J Bingham		Miles
	Blakemore		Ogle
	Brady		Perkins
	Brittain		Redihough
	Brock		Sarvent
	Caulfield		Serjeant
	Culley		Snowdon
	Davies		Staton
	Dyke		Stone
	Falconer		Thompson
	Flood		Thornton
	P Gilby		Twigg
	Holmes		Wheeldon
	J Innes		Yates

*Matters dealt with under the Delegation Scheme

74 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 22 FEBRUARY, 2023**RESOLVED –**

That the Minutes of the meeting of Council held on 22 February, 2023 be approved as a correct record and be signed by the Chair.

75 MAYOR'S COMMUNICATIONS

The Mayor reflected on his term of office and was pleased to announce that he and the Mayoress had attended more than 160 engagements.

The Mayor had particularly enjoyed last May's Civic Service and Parade. It was an important tradition which he was pleased to have been able to share with his family, friends, and Chesterfield's communities.

The Mayor thanked everyone for their support and concluded by saying that it had been an honour to serve as the 381st Mayor of Chesterfield.

76 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Callan, Davenport, Hollingworth, Niblock and Ridgway.

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

No declarations were received.

78 VOTE OF THANKS TO THE RETIRING MAYOR AND MAYORESS

It was moved by Councillor Tricia Gilby, seconded by Councillor Glenys Falconer and resolved:-

(a) That the best thanks of the Council be accorded to Councillor Tony Rogers for his services as Mayor of the Borough for the past year, for the able manner in which he has directed the affairs of the town and for the deep interest which he has shown in all matters relating to the welfare of the Borough;

(b) That the best thanks of the Council be accorded to Mrs Sharon Rogers for the grace, charm, and dignity with which she has undertaken her duties as Mayoress.

79 PUBLIC QUESTIONS TO THE COUNCIL

No questions had been received.

80 PETITIONS TO COUNCIL

No petitions had been received.

81 BUSINESS OUTSTANDING FROM THE COUNCIL MEETING OF 22 FEBRUARY 2023

These outstanding items of business were dealt with as part of items 20, 21, 22, 23 and 25 and the Notice of Motion in its own right at item 27. The minutes arising from consideration of these items of business are included as part of Minutes 93, 94, 95, 96, 98 and 100.

82 ELECTION OF BOROUGH COUNCILLORS - 4 MAY 2023

The Chief Executive reported that at the Borough Council elections held on 4 May, 2023 those listed in his tabled report had been elected as members of the Council for the wards stated.

83 CABINET, COMMITTEES AND OVERVIEW AND SCRUTINY ARRANGEMENTS FOR 2023/24

Pursuant to Cabinet Minute No.106 (2022/23) the Service Director - Corporate presented a report seeking approval for the implementation of changes to the council's decision-making and scrutiny structures in response to the outcomes of the Local Government Boundary Review.

RESOLVED –

1. That the Cabinet be retained in its current form with a membership of 9 councillors
2. That the role of Assistant Cabinet Member be deleted.
3. That the Leader of the Council be invited to confirm her appointments to the various Cabinet Portfolios at the Annual Business Meeting.
4. That the frequency of Cabinet be changed from every three weeks to monthly.
5. That the following changes to Committee sizes be approved:
 - Planning Committee - reduce Planning Committee places from 15 to 12 (20% reduction).

- Licensing Committee - reduce Licensing Committee places from 14 to 12 (15% reduction). Split between two groups rather than three.
 - Appeals and Regulatory Committee - reduce Appeals and Regulatory Committee places from 14 to 12 (15% reduction). Split between two groups rather than three.
6. That the Council’s overview and scrutiny function be delivered by two new Scrutiny Select Committees with the division of responsibilities to be as per that documented in the report.
 7. That the revised list of outside bodies and the proposed allocation of places to each be approved.

84 APPOINTMENT OF THE EXECUTIVE LEADER OF THE COUNCIL AND COMMITTEE APPOINTMENTS 2023/24

RESOLVED –

1. That Councillor Tricia Gilby be appointed Executive Leader of the Council for the period 2023-27.
2. That the Member level bodies of the Council for 2023/24, and the number of Members to be appointed to each to be as follows:-

Planning Committee	12
Planning Sub Committee	3
Appeals and Regulatory Committee	12
Licensing Committee	12
Employment and General Committee	6
Scrutiny Select Committee – Building a Resilient Council	10
Scrutiny Select Committee – Economic Growth and Communities	10

Standards and Audit Committee (Borough Council Representatives only)

6

3. That the following named Members be appointed to the Council's Member-level bodies for 2023/24:

Planning Committee

Councillors: B Bingham, J Bingham, Brady, Brittain, Callan, Caulfield, Davenport, Falconer, Miles, Ridgway, Stone and Yates.

Planning Sub-Committee

Councillors: Callan, Davenport and Stone.

Appeals and Regulatory Committee

Councillors: Bagley, B Bingham, J Bingham, Brady, Callan, Flood, McClaren, Miles, Niblock, Perkins, Redihough and Thompson.

Licensing Committee

Councillors: Brock, Culley, Flood, P Innes, Kellman, McClaren, Niblock, Perkins, Snowdon, Thompson, Thornton and Twigg.

Employment and General Committee

Councillors: Baldauf-Good, Brock, Culley, Davenport, Falconer and P Innes.

Scrutiny Select Committee – Building a Resilient Council

Councillors: Blakemore, Dyke, Hollingworth, Kellman, McClaren, Ogle, Ridgway, Snowdon, Twigg and Wheeldon.

Scrutiny Select Committee – Economic Growth and Communities

Councillors: Bagley, Dyke, Flood, Hollingworth, Jacobs, Niblock, Ogle, Twigg, Wheeldon and Yates.

4. That the following named Members be appointed to the Standards and Audit Committee (Borough Council representatives only) for 2023/24:

Councillors: Blakemore, Brock, Caulfield, Jacobs, Staton and Thornton.

5. That the following named Members be appointed to the roles of Chairs and Vice-Chairs of Committees for 2023/24:

Planning Committee	Chair: Councillor Callan Vice-Chair: Councillor Brittain
Planning Sub Committee	Chair: Councillor Stone Vice-Chair: Councillor Callan
Appeals and Regulatory Committee	Chair: Councillor Perkins Vice-Chair: Councillor Miles
Licensing Committee	Chair: Councillor Perkins Vice-Chair: Councillor Brock
Employment and General Committee	Chair: Councillor P Innes
Scrutiny Select Committee – Building a Resilient Council	Chair: Councillor Dyke Vice-Chair: Councillor Blakemore
Scrutiny Select Committee – Economic Growth and Communities	Chair: Councillor Flood Vice-Chair: Councillor Niblock
Standards and Audit Committee (Borough Council Representatives only)	Chair: Councillor Caulfield Vice-Chair: Councillor Jacobs

85 APPOINTMENT OF THE DEPUTY LEADER OF THE COUNCIL AND CABINET APPOINTMENTS 2023/24

RESOLVED –

1. That the Council notes the appointment by the Leader of the Council of Councillor Amanda Serjeant as the Deputy Leader of the Council for 2023/24.
2. That the Council notes the appointment by the Leader of the Council of the following Members of the Cabinet for 2023/24:

Leader of the Council and Cabinet Member for Economic Growth	Councillor Tricia Gilby
Deputy Leader of the Council and Cabinet Member for Finance and Asset Management	Councillor Amanda Serjeant
Cabinet Member for Climate Change, Planning, and Environment	Councillor Martin Stone
Cabinet Member for Town Centres and Visitor Economy	Councillor Kate Sarvent
Cabinet Member for Health and Wellbeing	Councillor Jonathan Davies
Cabinet Member for Housing	Councillor Jean Innes
Cabinet Member for Governance	Councillor Judy Staton
Cabinet Member for Customers and Business Transformation	Councillor Gavin Baldauf-Good
Minority Member without Portfolio	Councillor Paul Holmes

86

REPRESENTATIVES ON OUTSIDE BODIES 2023/24

The Service Director - Corporate submitted a report seeking approval to appoint Member representatives to a range of outside bodies.

RESOLVED –

That the proposals to appoint Member representatives to the agreed list of outside bodies for 2023/24, as detailed in Appendix 1 to the report, be approved.

87 COUNCIL'S DELEGATION SCHEME AND CONSTITUTION

The Monitoring Officer submitted a report seeking approval for the Council's scheme of delegation and constitution for the civic year 2023/24.

The constitution sets out the principal powers, duties, and procedures of the Council, including, in Part 3, to whom decision making over the Council's various functions is delegated.

RESOLVED –

That the Council's Constitution, including the scheme of delegation at Part 3 be approved for the civic year 2023/24.

88 QUESTIONS TO THE LEADER

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

Councillor Falconer asked if members could be informed of any plans the Council had to build a hotel at Chesterfield Waterside.

Councillor Gilby replied that there had been a long-standing aspiration to work with investors and developers to build a hotel at Chesterfield Waterside. The Council had also been actively engaging in discussions with possible Hotel operators. As these were commercially sensitive matters, no further details could be shared at this time.

Councillor Redihough asked about what progress had been made to procure alternative arrangements for the management of Tapton Park Golf Course.

Councillor Gilby replied that Councillor Davies would be addressing this matter as part of his portfolio of responsibilities. Cllr Gilby commented on the importance of Tapton Park Golf Course as a leisure asset for Chesterfield borough and referenced recent meetings that the Chief

Executive had convened with the current operators, Sheffield City Trust, and the members club. A process would commence shortly to look for a new operator for Tapton Park Golf Course.

Councillor Snowdon asked if the Council proposes to keep the current bonus scheme for council workers, and if so, what is the Council doing to mitigate the effect that this has on the general pay gap within council.

Councillor Gilby replied that to protect the earnings of Council staff through the period of the Covid-19 pandemic, the Council had adjusted the current bonus scheme to one where staff were paid on the basis of their average earnings over the previous 13 weeks. The Council had started to engage with the trade unions before the Covid-19 pandemic on a move away from the current pay structure for Housing Property Services staff. These discussions had understandably been delayed. A process to re-engage the trade unions and restart the discussions was now underway.

89 SENIOR PAY POLICY STATEMENT 2023-2024

The Service Director for Digital, HR and Customer Services presented a report seeking Council approval for the adoption and publication of Chesterfield Borough Council's Senior Pay Policy Statement for the financial year 2023/24.

RESOLVED –

That the Senior Pay Policy Statement for the financial year 2023/24 be approved by Council and published on the Council's website.

90 RISK MANAGEMENT STRATEGY 2023-2027

Pursuant to Cabinet Minute No.107 (2022/23), the Strategic Health, Safety and Risk Manager submitted a report seeking approval for the adoption and implementation of the Council's Risk Management Strategy for the period 2023-2027. Council was also asked to note the latest version of the Strategic Risk Register summary.

RESOLVED –

1. That the Council approves and adopts the Council's Risk Management Strategy for the period 2023 – 2027.
2. That the Council notes the contents of the Council's Strategic Risk Register summary, a 'live' document which is regularly updated by the Council's Risk Management Group.

91 EQUALITY AND DIVERSITY STRATEGY 2023 – 2027

Pursuant to Cabinet Minute No.108 (2022/23), the Policy Officer submitted a report seeking Council approval for the adoption and publication of Chesterfield Borough Council's Equality and Diversity Strategy for the period 2023 - 2027.

RESOLVED –

1. That the Council approves and adopts Chesterfield Borough Council's Equality and Diversity Strategy for the period 2023 - 2027.
2. That authority is delegated to the Service Director - Corporate, in consultation with the Cabinet Member for Governance, to make amendments to the Council's Equality and Diversity Strategy and Action Plan in between the formal review periods should legislative, guidance and partnership changes impact on planned activity and operational effectiveness.

92 CIVIC ARRANGEMENTS 2023/24 - DEPUTY MAYOR

The Service Director – Corporate and Democratic and Elections Manager presented a report to enable the Council to confirm the arrangements for the election of Deputy Mayor for the civic year 2023/24.

RESOLVED –

That Councillor Jenny Flood be invited to become Deputy Mayor of the Borough for 2023/24.

93 MINUTES OF COMMITTEE MEETINGS

RESOLVED –

That the Minutes of the following Committees be noted:

- Appeals and Regulatory Committee of 7, 14 (full), 14, 21 (full) and 21 December, 2022, 18 and 25 January, 8 (full) and 8 February, 8 March, 19 and 26 April, 2023;
- Employment and General Committee of 30 January, 2023;
- Licensing Committee of 14 December, 2022 and 22 March, 2023;
- Planning Committee of 12 December, 2022, 9 and 30 January, 20 February, 13 March, 3 and 24 April, 2023;
- Standards and Audit Committee of 23 November, 2022, 15 March and 26 April, 2023.

94 **TO RECEIVE THE MINUTES OF THE MEETINGS OF THE CABINET OF 13 DECEMBER, 2022 17 JANUARY, 2023 24 JANUARY, 2023 7 FEBRUARY, 2023 21 FEBRUARY, 2023 AND 14 MARCH, 2023**

RESOLVED –

That the Minutes of the meetings of Cabinet of 13 December, 2022, 17 January, 24 January, 7 February, 21 February and 14 March, 2023 be noted.

95 **TO RECEIVE THE MINUTES OF THE MEETINGS OF THE JOINT CABINET AND EMPLOYMENT AND GENERAL COMMITTEE OF 24 JANUARY, 2023 AND 7 FEBRUARY, 2023**

RESOLVED –

That the Minutes of the meetings of the Joint Cabinet and Employment and General Committee of 24 January and 7 February, 2023 be noted.

96 **TO RECEIVE AND ADOPT THE MINUTES OF THE MEETINGS OF THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM OF 17 NOVEMBER, 2022 AND 26 JANUARY, 2023**

RESOLVED –

That the Minutes of the meetings of the Overview and Performance Scrutiny Forum of 17 November, 2022 and 26 January, 2023 be approved.

97 TO RECEIVE AND ADOPT THE MINUTES OF THE MEETING OF THE COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE OF 23 MARCH, 2023

RESOLVED –

That the Minutes of the meeting of the Community, Customer and Organisational Scrutiny Committee of 23 March, 2023 be approved.

98 TO RECEIVE AND ADOPT THE MINUTES OF THE MEETINGS OF THE ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE OF 1 DECEMBER, 2022 AND 9 FEBRUARY, 2023

RESOLVED –

That the Minutes of the meetings of the Enterprise and Wellbeing Scrutiny Committee of 1 December, 2022 and 9 February, 2023 be approved.

99 QUESTIONS UNDER STANDING ORDER NO. 19

There were no questions.

100 NOTICE OF MOTION UNDER STANDING ORDER NO. 21

It was moved by Councillor Serjeant and seconded by Councillor Stuart Brittain that:

Local Labour Clause

Chesterfield Borough Council is proud that 100% of all our major planning applications have implemented local Labour Clauses. This has led to the creation of approx. 1699 jobs and 140 apprenticeships for local people. Also meet the buyer events have supported our local Chesterfield economy. However, it is not a mandatory obligation and is subject to developers' best endeavours.

We call on the Government to legislate around planning and procurement to make this a mandatory condition on all developments to ensure that local communities receive a direct benefit from development in their area.

Asks the Leader of the Council to write to Michael Gove Sec of State DHLUC to ensure that Local Communities receive a direct benefit from developments in their area by making local labour clauses a mandatory element of planning and procurement.

On being put to the vote the motion was declared carried.