

CABINET**Tuesday, 2nd December, 2014**

Present:-

Councillor Burrows (Chair)

Councillors Blank
King
Ludlow

Russell
Serjeant

Non Voting Members Brown
Hill

Huckle
Martin Stone

Innes++

+ Attended for Minutes 124-132

++ Attended for Minutes 119-124.

*Matters dealt with under Executive Powers

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

No declarations of interest were received.

120 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gilby, McManus and Hollingworth.

121 MINUTES**RESOLVED –**

That the minutes of the meeting of Cabinet held on 4 November 2014 be approved as a correct record and signed by the Chair.

122 FORWARD PLAN

The Forward Plan for the four month period 1 December 2014 to 31 March 2015 was reported for information.

*** RESOLVED –**

That the Forward Plan be noted.

123 DELEGATION REPORT

Decisions taken by Executive Members during November 2014 were reported.

*** RESOLVED –**

That the Delegation Report be noted.

124 CONSIDERATION OF THE RECOMMENDATION OF OVERVIEW AND PERFORMANCE SCRUTINY FORUM ON MATTERS REGARDING ICT DEVELOPMENTS

The Chair of the Overview and Performance Scrutiny Forum, Councillor Jean Innes, presented a recommendation of the Forum regarding ICT developments (Minute No. 20. (2014)).

It was recommended that an ICT specialist be employed by the Council to represent the Council's ICT needs and requirements.

It was noted that since the recommendation was made in September 2014, developments had already taken place with the planned appointment by arvato of a programme manager and additional helpdesk support and, on the client side, of a new interim client manager with ICT expertise and experience.

*** RESOLVED –**

- (1) That the recommendation of the Overview and Performance Scrutiny Forum be noted.
- (2) That officers be asked to prepare a report for consideration by the Overview and Performance Scrutiny Forum and Cabinet setting out how the Council should best represent its future ICT needs and requirements as part of the public-private partnership arrangements with arvato.

REASON FOR DECISION

To consider the views of the Overview and Performance Scrutiny Forum when considering ICT developments.

125 **GENERAL FUND REVENUE AND CAPITAL BUDGET MONITORING REPORT AND UPDATED MEDIUM TERM FINANCIAL FORECAST- SECOND QUARTER OF 2014/15.**

The Chief Finance Officer submitted a report outlining budget variances in the current financial year, highlighting future budget issues and providing an update on the medium term financial forecast. The report outlined the forecasts for a potential surplus in 2014/15 and 2015/16, and a potential deficit in 2016/17.

A number of measures were proposed to maintain the surplus position and to tackle the possible deficit in the and medium-term. The report also provided an update on the general fund capital programme and the 2015/16 budget preparation process.

RESOLVED –

- (1) That the budget monitoring variances and updated budget forecasts be noted.
- (2) That the previously approved use of reserves as set out in Section 6 of the report be noted.

REASON FOR DECISIONS

To monitor the Council's finances.

126 **MARKHAM VALE ENTERPRISE ZONE – PROPORTION OF THE BUSINESS RATES INCOME TO BE TRANSFERRED TO THE SHEFFIELD CITY REGION COMBINED AUTHORITY**

The Chief Finance Officer submitted a report seeking approval for the transfer of Business Rates income from the Markham Vale Enterprise Zone to the Sheffield City Region Local Enterprise Partnership/Combined Authority.

The report outlined government policy in respect of enterprise zones that requires business rates growth within such zones to be retained to

support the Partnership's economic priorities and to ensure that enterprise zone growth is re-invested locally.

As the Markham Vale site was vacant, all future business rates income would be counted as growth. The report outlined the estimates of the possible rates payable in respect of the existing developments.

As this policy was not a statutory requirement, the alternative option of retaining the business rates income locally and not transferring it to the Sheffield City Region Local Enterprise Partnership/Combined Authority was considered. This was not recommended as it would put the Council's position with the Combined Authority at risk, with a possible consequence in respect of the allocation of future funding from the Sheffield City Region Investment Fund programme for schemes in Chesterfield, such as Chesterfield Waterside and the Northern Gateway.

***RESOLVED –**

That it be recommended to Full Council for approval that:

- (1) the Business Rates income from the Markham Vale Enterprise Zone be paid to the Sheffield City Region Local Enterprise Partnership/Combined Authority in accordance with Government policy; and subject to similar positions being taken by other Sheffield City Region rating authorities hosting parts of the Region's Enterprise Zone.
- (2) this arrangement be reviewed in the future if there is a change in Government policy or a change to the Council's membership of the Sheffield City Region Combined Authority.

REASON FOR DECISIONS

To formally approve the policy of transferring Business Rates income from the Markham Vale Enterprise Zone to the Sheffield City Region Local Enterprise Partnership/Combined Authority.

127 TO APPROVE THE COUNCIL'S EXTERNAL COMMUNICATIONS STRATEGY

The Communications and Marketing Manager submitted a report recommending the approval of a new External Communications Strategy for the period 2014/17.

An Overview and Performance Scrutiny Forum Project Group had carried out a review of the Council's external communications between November 2013 and June 2014. The Project Group made the following recommendations, which were agreed by Cabinet on 29 July 2014 (Minute No. 63):

- a) *That the Council adopts clear branding and a 'one council' approach.*
- b) *A review to look at how better coordination of marketing and communication activities can be achieved to enable the objectives of the new communications strategy to be delivered. This may involve the need for a review of the organisational structure.*
- c) *That analytics (the discovery and communication of meaningful patterns in data) is used to guide web content and to be able to better predict and improve performance.*
- d) *That the Council consider adopting a 'digital first approach' to all its external communication.*

These recommendations had informed the drafting of a new External Communications Strategy. A range of other issues had also been taken into account, such as:

- increasing customer service expectations
- changes to the demographics of Chesterfield's population
- public policy changes
- cuts to public sector spending
- The desire for channel shift, enabling more customers to carry out transactions with the Council that are more convenient for them and cheaper for the Council to manage

Many of the objectives of the proposed strategy were aimed at addressing the changing consumer expectations of communicating with and transacting with the Council, particularly through enhancing the use of digital communication channels to reach out to different audiences.

The use of more traditional methods of paper-based communications would, however, be continued to ensure the needs of all our communities are met.

The Council's media protocol and social media policy had also been updated to reflect changes in technology and the communications environment.

A style guide would also enable the Council to communicate with one voice on websites and in corporate communications.

***RESOLVED -**

- (1) That it be recommended to full Council for approval that the proposed External Communications Strategy and action plan (appendices 1 and 2 to the report) be adopted.
- (2) That the accompanying media protocol (appendix 3 to the report) to replace the existing document, be approved.
- (3) That the social media policy (appendix 4 to the report) to replace the existing document, be approved, and that the necessary amendments to the existing HR and ICT policies be made to cross reference to the new policy.
- (4) That the accompanying style guide (appendix 5 to the report) be approved as the standard writing style for external communications.
- (5) That six monthly progress reports on the implementation of the strategy be presented to the Overview and Performance Scrutiny Forum and to Cabinet.

REASONS FOR DECISIONS

To provide a strategic approach to improving external communications with residents, businesses and visitors.

To help communicate the Council's corporate plan priorities and actions, including the corporate aim of 'making it easier for customers to contact us'.

128 **ADOPTION OF NEW CORPORATE BRANDING**

The Communications and Marketing Manager submitted a report recommending for approval new corporate branding for the Council.

The review of the Council's corporate branding was carried out following the recommendation from the Overview and Performance Scrutiny Forum, approved by Cabinet at Minute No. 63 (2014), that the Council should *'adopt clear branding and a 'one council' approach' to its communications and marketing work'*.

Chesterfield-based branding and design agency Crush Design was appointed to carry out an audit of the Council's existing branding, to make recommendations on the future strategy for developing branding and communication messages, and to produce a set of brand guidelines that could be used in various forms of communication and marketing.

The audit of existing branding revealed that the public have difficulty understanding what the Council does as it offers more than 50 separate services, using different styles and designs in their promotions. Five key messages had been identified to simplify the message to be communicated to the public:

- The future of Chesterfield – 'planning a better Chesterfield'
- Improving the environment we live in – 'a great environment to live'
- Improving the economy and employment prospects – 'a place with good prospects'
- Providing great leisure and cultural facilities - 'excellent facilities to enjoy'
- Providing a housing service to meet local needs - 'a secure place to live'

The report gave examples and explanations of these messages.

To support delivery of these messages, a new visual identity, incorporating the Crooked Spire, had been created and examples of the materials incorporating this new style and design were attached to the report.

The report explained that the Council's corporate branding project would not duplicate any of the work of Destination Chesterfield in creating a 'place brand' for Chesterfield.

To ensure that the corporate branding would be adopted consistently, it was proposed that the communications and marketing service would approve future publicity materials and procurement contracts with branding elements before decisions are taken.

Councillor Russell requested that his vote against the recommendations at paragraphs 8.1, 8.2 and 8.3 of the report be recorded.

***RESOLVED -**

- (1) That the proposed corporate branding be adopted.
- (2) That the communications and marketing service should approve all future publicity prior to publishing to ensure the correct branding is being used and that it meets a communication need.
- (3) That this approval process includes ensuring the council's corporate branding is used where relevant procurement decisions are being taken (eg purchasing of signs or uniforms, to build a new facility or a the letting of a contract to provide rubbish collection services)

REASONS FOR DECISIONS

To help deliver the council's corporate aim of 'making it easier for the public to contact us'.

To help improve public understanding of the council and its work by delivering consistent communication messages.

129 LOCAL COUNCIL TAX SUPPORT SCHEME 2015/16

The Chief Finance Officer submitted a report seeking approval for the Council Tax Support (CTS) Scheme for the next financial year (2015/16).

The Chief Finance Officer advised that the scheme being recommended for adoption in respect of the next financial year (2015/16) was unchanged from that in 2014/15.

The key features of the proposed scheme were outlined as follows:

- Local Council Tax Support will be calculated using 91.5% of the Council Tax liability, leaving residents of working age to pay a minimum of 8.5% themselves. Assuming they were living in a Band A property then the Council Tax Liability would be in the region of £84 p.a. (£988.17 x 8.5%) for a couple or £63 p.a (£84 less 25% discount) for a single person, before any award of CTS. Those of pensionable age will be eligible for CTS of up to 100% of their council tax liability.
- The Council continues to charge 100% in respect of Empty Homes and Holiday Properties.
- The Council allows a local discount of 100% on the requirement to pay for unoccupied and unfurnished properties for a period of 3 months. In a situation where a property becomes occupied or furnished for a period of 6 weeks or less it will only be eligible to receive discount for any of the original three month period which remains. Those properties that are uninhabitable due to them requiring or undergoing major structural repairs or alterations (that would have previously qualified for exemption class A) continue to benefit from an exemption for a period of up to 12 months.
- Removal of the residual 10% discount for second homes.
- A 50% surcharge will continue to apply to properties empty for more than 2 years.

***RESOLVED –**

That it be recommended to Full Council that:

- (1) Approval is given to the continued operation of a local Council Tax Support scheme for 2015/16 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 Council Tax that will be eligible for reduction is 91.5% of their full Council Tax Liability (£84 for a Band A property).

- The Council continues its policy of disregarding war pensions for the purposes of calculating income in respect of the Council Tax Reduction Scheme at a total estimated cost of £16k.
 - The 'taper', i.e. the rate at which support is withdrawn as income increases be maintained at 20%.
- (2) the Chief Finance Officer be granted delegated powers to update the 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 for other minor technical changes which may be required.
- (3) the local council tax discounts originally agreed for 2013/14 be continued.

REASONS FOR DECISION

To ensure that the Council is able to continue to operate a localised scheme providing council tax support from April 2015.

130 COUNCIL CONSTITUTION REVIEW - AMENDMENTS TO FULL COUNCIL STANDING ORDERS, CONTRACT PROCEDURAL RULES AND OTHER UPDATES

The Local Government and Regulatory Law Manager submitted a report to inform members of the work of the Constitution Working Group, and to recommend that certain changes to the constitution are made which had arisen from the ongoing Constitution review and other changes at the Council.

The Executive Member for Governance and Organisational Development advised that a member/officer working group, called the Constitution Working Group, has been systematically reviewing the Council's Constitution, finding ways to simplify and update it; with this work being carried out in addition to routine updates to the Constitution made as a result of legislation and other approved changes.

The Local Government and Regulatory Law manager summarised the main changes detailed in the report. The Council's Constitution was

adopted in the early 2000s and since adoption it had been updated and added to and the structure had now become cumbersome and difficult to navigate. Changes to procedures had also been incorporated into the document without a review. The Constitution Working Group had worked closely with the text of the constitution and it had been simplified and put into Plain English.

The Constitution Working Group had proposed that instead of bringing the whole revised Constitution to members, to bring the changes in stages, starting with two parts of Part 4 of the current Constitution:

- Council Standing Orders - to help the efficiency of Council meetings.

The Standing Orders had been reviewed and updated with a view to transacting business at Council meetings more efficiently and to assist with the management of the meeting.

- Contract Procedure Rules - which need updating in accordance with current best practice

The current Contract Procedure Rules no longer accorded with best practice and needed to be amended to take account of changes in the law and procurement procedures. Financial thresholds within the Contract Procedure Rules had not been reviewed for many years and also needed revision.

The Local Government and Regulatory Law Manager also outlined the proposals in the report that would make the process for amending the Constitution in future quicker and more responsive to the needs of the Council.

***RESOLVED –**

That it be recommended to Full Council that:

- (1) the amended Council Standing Orders be adopted.
- (2) the Constitution Working Group reviews the operation of the amended Standing Orders after 12 months of operation.
- (3) the new Contract Procedure Rules be adopted.

- (4) further amendments to the Contract Procedure Rules be made as necessary to take account of forthcoming changes in the law.
- (5) in future, proposed amendments to the constitution be approved by Standards and Audit Committee, unless appropriate, or required by law, to be approved by full Council (or Leader or Cabinet).
- (6) appropriate amendments be made to the Constitution to formally reflect the senior management restructure and consequent delegations to Service Managers.
- (7) any necessary consequential changes be made to other parts of the Constitution as a result of the above amendments.
- (8) The good work of the Constitution Working Group be formally recognized and the thanks of Full Council be afforded to its members, in particular, Councillor Graham King, the Local Government and Regulatory Law Manager, and the Democratic Services Manager.

REASON FOR DECISION

To ensure that the Council's constitution is amended in accordance with best practice and the law.

131 CIVIC ARRANGEMENTS 2015/16

The Democratic Services Manager submitted a report to confirm arrangements for the civic year 2015/16 in respect of the election of the Deputy Mayor for 2015/16, the Annual Council Meeting and Civic Dinner, and Civic Service for 2015.

Each year the Council is asked to confirm its civic arrangements for the forthcoming municipal year, namely the appointment of Deputy Mayor, the date of the Annual Council meeting to elect the Mayor and Deputy Mayor and the associated civic events. The appointment of Deputy Mayor as Vice Chairman of the Council is a statutory appointment under Part 1 of the Local Government Act 1972. In the case of a Borough Council the Vice Chairman is entitled to use the title of Deputy Mayor.

RESOLVED –

- (1) That it be recommended to Council that, subject to re-election, Councillor Barry Bingham be invited to become Deputy Mayor of the Borough for 2015/16.
- * (2) That it be noted that the Annual Council meeting will be held on Wednesday 20 May 2015, followed by a civic reception at the Winding Wheel.
- * (3) That it be noted that the Annual Civic Service and Procession will be held on Saturday 23 May 2015.

REASON FOR DECISION

To enable the Council to confirm civic arrangements for 2015/16.

132 THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014

The Local Government and Regulatory Law Manager submitted a report to advise of the implications for the Council of the new Openness of Local Government Bodies Regulations 2014.

The Executive Member for Governance and Organisational Development outlined the implications of the new regulations, which imposed new requirements for local authorities to allow the public to report and commentate on meetings and for written records to be published of certain decisions taken by officers.

The 2014 Regulations aimed to make unequivocal the public's right to report on meetings in public session. Reporting includes photography, filming, audio recording and social media. Those engaged in reporting may publish, post or share the results of their reporting via any communication method whilst they are in the meeting but such activities must not disrupt the business of the meeting. The changes relating to the recording of officer decisions were also outlined. In relation to the reporting and recording of officer delegated decisions, the Local Government and Regulatory Law Manager advised that there was discretion on how this could be done and outlined the proposed procedures for how this would be managed.

***RESOLVED –**

That it be recommended to Full Council for approval that:

- (1) the requirements of the Openness in Local Government Bodies Regulations 2014 as outlined in this report be noted.
- (2) the 'Guidelines for members of the public attending public meetings' contained within the Constitution and on the website be updated as shown in the attachment to report, be updated.
- (3) Notices warning members of the public that they may be filmed are posted up in the public areas of the Council Chamber and the committee rooms.
- (4) the arrangements for the publication of officer decisions, as set out in the report, be approved.
- (5) the following changes to the Council's Constitution be approved:
 - (i) Rule 22.3 of the Access to Information Procedure Rules contained within Part 4 of the Council's Constitution be amended as set out in paragraph 4.18 of this report.
 - (ii) Appendix 2 to Part 3 of the Constitution be amended to the wording at Appendix D to the report.
 - (iii) Appendix 3 to Part 3 of the Constitution be removed.

REASON FOR DECISION

To ensure that the Council is compliant with the Openness in Local Government Regulations 2014.