



This information is available free of charge in electronic, audio, Braille and large print versions on request.

For assistance in understanding or reading this document or specific information about these Minutes please call Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk

GOVERNANCE AND RESOURCES COMMITTEE

Minutes of a Meeting held on Thursday 22 November 2018 in the Council Chamber, Town Hall, Matlock at 6.00pm

PRESENT

Councillor Jacquie Stevens - In the Chair

Councillors Albert Catt, Tom Donnelly, Steve Flitter, Helen Froggatt, Chris Furness, Alyson Hill, Neil Horton, Angus Jenkins, Garry Purdy, Mike Ratcliffe, Lewis Rose OBE, Mark Salt, Colin Swindell and John Tibenham.

Paul Wilson (Chief Executive), Sandra Lamb (Head of Corporate Services), Tim Braund (Head of Regulatory Services), Karen Henriksen (Head of Resources), Ian Brailsford (Business Transformation Assistant) and Jackie Cullen (Committee Assistant).

4 members of the public.

APOLOGIES

Apologies for absence were received from Councillors Deborah Botham, Jean Monks and Joanne Wild. Councillor Helen Froggatt attended as Substitute Member.

239/18 – MINUTES

It was moved by Councillor Jacquie Stevens, seconded by Councillor Mike Ratcliffe and

RESOLVED
(unanimously)

That the minutes of the meeting of the Governance and Resources Committee held on 20 September 2018 be approved as a correct record.

The Minutes were signed by the Chairman.

240/18 – PUBLIC PARTICIPATION

In accordance with the procedure for public participation, Councillors Vicki Raynes and Ian Strange, on behalf of Tansley Parish Council, commented on aspects related to the S106 debt of Barncroft Homes – ITEM 6 on the Agenda: SECTION 106 PLANNING OBLIGATION AGREEMENT – LAND AT OLD COACH ROAD, TANSLEY. The speakers referred to discrepancies in the report regarding the actual amount owed; how much had been paid by

the Developer; why this amount should be written off before the liquidation process had completed; concerns that this would set a precedent; and the alleged offer by the Developer to take over the company's debt personally, as indicated in recent correspondence with the Chief Executive.

241/18 – INTERESTS

Councillor Steve Flitter declared a personal interest in Item 6 on the Agenda: SECTION 106 PLANNING OBLIGATION AGREEMENT – LAND AT OLD COACH ROAD, TANSLEY as he knew the owner of Barncroft Homes. Cllr Flitter left the meeting during discussion of and voting on this item.

Sandra Lamb (Head of Corporate Services) declared a personal interest in Item 10 on the Agenda: CUSTOMER INNOVATION PROJECT, as she had been influential in writing the report; and a personal and pecuniary interest in Items 11 & 12 on the Agenda: ELECTION FEES and REFERRED ITEMS respectively.

The Chief Executive, the Head of Regulatory Services and the Head of Resources each declared a pecuniary interest in Items 11 & 12 on the Agenda: ELECTION FEES and REFERRED ITEMS respectively.

242/18 – SECTION 106 PLANNING OBLIGATION AGREEMENT – LAND AT OLD COACH ROAD, TANSLEY

The Committee considered a report on legal proceedings initiated by the District Council to secure payment of an affordable housing contribution of £61,575 pursuant to an agreement under the provisions of section 106 of the Town and Country Planning Act 1990. The report also advised of the District Council's involvement in a company liquidation process.

The planning permission granted in April 2009 for the erection of 2 detached dwellings on land at Old Coach Road, Tansley (Application 08/00594/FUL) was subject to a section 106 agreement requiring the payment of an affordable housing contribution in the sum of £61,575. For reasons set out in the report, the debt remained unpaid. Steps taken to collect payment were detailed in the report; however despite lengthy Court proceedings and enforcement, the District Council had been unable to secure full payment of the debt due to the financial position of the company and the outstanding amount was £59,438.32.

It was noted that as part of the debt recovery proceedings, the District Council did secure charging orders against 3 properties owned by Barncroft Homes Limited; however those properties were subject to 999 year leases to various tenants and, as such, the Freehold Title owned by the Company was of nominal value (£600).

The Committee was informed that in August 2018 the Company was placed in liquidation. The properties under discussion had been purchased by individuals who were now the successors in title and it was therefore possible that the District Council could seek to recover the s.106 monies from those persons. However, in the circumstances it was not considered fair or reasonable, as explained in the report.

The Committee was therefore asked to consider writing off the s.106 debt owed, as there were no further legal avenues that the District Council could pursue.

In response to some of the points raised by the speakers, the Chief Executive reported that he had received legal advice that day advising that once the insolvency process had been finalised, it was unlikely that the Council would receive any money apart from the £600 under the charging orders against the properties. With regard to the potential offer of payment from the individual, he emphasised that if this were accepted, there would be no formal means of recovery should the individual default on these payments. The Chief Executive also clarified the amount owed, as set out in paragraph 1.3 of the report.

It was moved by Councillor Albert Catt, seconded by Councillor Garry Purdy and

RESOLVED That this matter be deferred until the next meeting of this Committee for the following reason:

Reason:

1. That further information may be sought regarding the issues raised at the meeting; in particular the offer from the Developer to settle the debt personally;
2. That an updating report be brought to the next meeting of this Committee (17 January 2019) to enable Members to make an informed decision.

Voting:

For	13
Against	0
Abstentions	1

243/18 – PROCUREMENT STRATEGY 2018-2021

The Committee was asked to consider a report seeking approval of a revised Procurement Strategy that aimed to continue with the Council's initiatives to remove unnecessary complexity from processes and procedures and to retain only those that added value to the service it delivered.

The Procurement Strategy was attached as Appendix 1 to the report. The Action Plan set out in Section 9 of the report constituted a programme of the Strategic Themes set out in the Strategy, and it was reported that implementation would be a continuous process throughout the period covered by the Strategy.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Mike Ratcliffe and

RESOLVED That the Derbyshire Dales District Council Procurement Strategy for (unanimously) 2018-2021 is adopted.

244/18 – REPLACEMENT OF ICT BACKUP STORAGE

The Committee considered a report that sought approval for a business case relating to the replacement of ICT backup storage.

Under the Civil Contingencies Act the Council was required to ensure that it had made adequate provision for business continuity in the event of emergencies and unforeseen events. The Council's Business Continuity Plan, ICT Disaster Recovery Strategy and Risk

Management Strategy all recognised the need for systems and processes to mitigate the impact of any service disruptions.

The current system was set out in the report, and it was noted that the current storage devices were deployed in 2014 and support from the manufacturer would be withdrawn in November 2019. It was therefore necessary to plan to replace the current backup storage systems.

This business case proposed (that the Council should procure new fully supported backup storage systems for Matlock Town Hall and Pioneer House) had an estimated capital cost of £30,000 which was requested for the financial year 2019/20. There would be no maintenance costs for the initial 5 years following installation, which would give revenue savings of £1,700 a year. The key stages of the proposed project were tabled in the report and the proposed business case had been approved by the Corporate Leadership Team.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Mike Ratcliffe and

- RESOLVED** (unanimously)
1. That the business case for ICT backup storage replacement is approved;
 2. That, Council be requested to approve £30,000 funding for this project within the capital programme for 2019/20.

245/18 – ANIMAL WELFARE REGULATIONS (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (ENGLAND) REGULATIONS 2018 – LICENSING FEES

The Committee considered a report that gave background information on the new licensing arrangements for activities involving animals; explained the fee setting process and recommended the level of fees that should be charged under the new regime.

Full details of how the system would operate, including the scheme of delegated authority, had been considered by the Licensing and Appeals Committee on 1 November 2018. However, responsibility for setting fees rested with the Governance and Resources Committee and this report recommended a schedule of fees for adoption and explained the methodology behind them. Due to the late provision of the Guidance that allowed the calculation of fees to be undertaken it was recommended that the new schedule was not introduced until 1 January 2019, by which time those existing licences that expired on 31 December 2018 would have been processed and transferred to the new system.

It was noted that fees for the activities covered by the Regulations were to be charged in 2 stages, as outlined in the report, and local authorities were expected to set their fees based on the principle of full cost recovery.

In addition to fees for the licence itself, officers recommended that a schedule of fees for advice was introduced, as set out in the report.

If approved, all existing licensed businesses would be made aware of the new fees and the benefits of good performance and would be directed to the updated webpages.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Angus Jenkins and

RESOLVED
(unanimously)

That the schedule of fees set out below is approved:

Activity	Fee
Application fee for new licence	£310
Fee for grant of licence, including compliance and enforcement	£75
Application fee for renewal of licence	£310
Fee for grant of renewal, including compliance and enforcement	£75
Variation of licence – administration	£25
Variation of licence – administration and inspection	£125
Re-rating inspection	£100
Appeal inspection	£100

Activity	Fee
Advice from Licensing team - first 30 minutes	Free
Advice from Licensing team – more than 30 minutes	£50 fee to include meeting and written advice
Advisory site visit	£100

246/18 – CUSTOMER INNOVATION PROJECT

The Committee considered a report that summarised the work of a new cross-departmental Hub aimed at improving the customer experience.

The launch of a new waste service was the major piece of work currently underway, and for which the volume of customer contacts regarding waste and other Environmental Services was number one across all communication channels. To this end, considerable thought had been given to the Council’s state of readiness and ability to respond to queries in an easier, quicker and more efficient manner. The main drivers for change were listed in the report, and to take this project forward a Customer Innovation Hub had been formed; its conformation, aims and objectives were set out in the report.

Stage 1 of the project was to develop a specification for the procurement of a Customer Relationship Management System (CRM) and associated software to meet those objectives, as set out in the report. The ultimate aim was to have the new platform in place and fully functional in order to deliver the priority before the new waste service was rolled out.

The main body of the report detailed progress and initial findings, with current service trends and associated data set out in Section 2 of the report. Appendix 1 to the report showed the number of customer contacts delivered at first point of contact, i.e. those delivered by the Business Support and Communications teams. The cost attributed to each transaction was for illustrative purposes and was based on global unit costs for local authorities.

A short PowerPoint presentation was given by the Business Transformation Assistant to illustrate the procedures and shortcomings in the current contact system.

It was moved by Councillor Chris Furness, seconded by Councillor Lewis Rose OBE and

- RESOLVED**
(unanimously)
1. That the report is welcomed and that the findings of the customer survey and progress of the Hub is reported to the January 2019 meeting of the Committee.
 2. That the report to the January meeting includes a budget estimate for delivery of the project.

247/18 – ELECTION FEES

The Committee considered a report that recommended the adoption of election fees to be used as a basis of recharge at the forthcoming parish council elections and as a means of payment for staff involved in the preparation and delivery of an efficient combined local government election on 2 May 2019.

The suggested fee structure was attached as Appendix 1 to the report.

Provisional arrangements regarding the Verification and Count for the elections in May were set out in the report, together with the calculation of Parish Council election recharges.

It was moved by Councillor Lewis Rose, seconded by Councillor Mike Ratcliffe and

- RESOLVED**
(unanimously)
1. That the schedule of fees for general staff as set out in Appendix 1 to the report is approved and increased in line with the national living wage.
 2. That the Returning Officer fee formula as set out in Appendix 1 to the report is approved and increased in line with the local government pay award.

248/18 – REFERRED ITEMS

The Committee considered two recommendations from the Joint Consultative Group meeting held on 8 November 2018 regarding:

1. The adoption of two new safety policies: the Management of Noise at Work and the Management of Vibration at Work.
2. The adoption of a new Travel and Subsistence Policy

It was moved by Councillor Garry Purdy, seconded by Councillor Steve Flitter and

- RESOLVED**
(unanimously)
1. That the Management of Noise at Work Policy and the Management of Vibration at Work Policy be adopted
 2. That the new Travel & Subsistence Policy be adopted.

MEETING CLOSED – 7.45PM

CHAIRMAN