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COUNCIL

Minutes of a Virtual Council Meeting held at 6.00 pm on Thursday, 21 January 2021.

Under Regulations made under the Coronavirus Act 2020, the meeting was held virtually. Members of the public were able to view the virtual meeting via the District Council's website at www.derbyshiredales.gov.uk or via our YouTube channel.

PRESENT

Councillor Richard Fitzherbert - In the Chair

Councillors, Jacqueline Allison, Robert Archer, Jason Atkin, Richard Bright, Matthew Buckler, Sue Bull, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Tom Donnelly, Graham Elliott, Steve Flitter, Helen Froggatt, Chris Furness, Clare Gamble, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Tony Morley, Michele Morley, Peter O'Brien, Garry Purdy, Mike Ratcliffe, Claire Raw, Lewis Rose OBE, Mark Salt, Andrew Shirley, Peter Slack, Andrew Statham, Alasdair Sutton, Colin Swindell, Steve Wain and Mark Wakeman.

Paul Wilson (Chief Executive), James McLaughlin (Director of Corporate & Customer Services), (Tim Braund (Director of Regulatory Services), Karen Henriksen (Director of Resources), Steve Capes (Director of Regeneration and Policy), Rob Cogings (Director of Housing), Caroline Leatherday (Business Support Manager), Ian Brailsford, (Digital Transformation Officer), Angela Gratton (Democratic Services Officer).

This meeting was recorded and broadcast live on YouTube

APOLOGIES

Apologies for absence were received from Councillors Paul Cruise, Elisa McDonagh and Joyce Pawley

221/20 - PUBLIC PARTICIPATION

In accordance with the procedure for public participation:

Wendy Bullar, resident and member of the Derbyshire Dales Climate Hub made a statement on Item 9 Motion.

The Derbyshire Dales Climate Hub (the Hub) is made up of Dales residents who are concerned about the twin crises of the climate and the decline of the natural world. The Hub congratulates the District Council on its progress in addressing the Climate Crisis. The authority has developed a detailed Action Plan with an estimated budget of £2.7m, and in a move keenly anticipated by the wider community, will soon appoint a new Climate Change Officer.

Despite this progress, the magnitude of reducing millions of tonnes of CO₂ across the Derbyshire Dales year on year is a task well beyond the capacity of the District Council as a sole actor. While the community and commerce will clearly wish to play their part, some of the 'heavy lifting' in policy and funding terms must be accepted by central Government. The Hub is asking the Council to support the CEE motion and to use its utmost influence to encourage our constituency MP, Ms Sarah Dines, to take this same message to central Government. If the CEE Bill is enshrined in law, it will provide the powers and resources necessary to make the net-zero carbon target and nature's recovery possible.

The Government's Ten Point Plan for the climate emergency sets aside a budget of £12bn for renewable energy, nuclear power and countryside restoration. The Government's own estimate is that the plan will save more than 180m tonnes of CO₂ emissions during the period 2023 to 2032. However, this is only slightly more than half the UK's current annual emissions.

The respected journal The New Scientist has said that the Plan represents a very positive step. However, if the government wants to be taken seriously as the host of this year's vital Conference of Partners (COP) 26 International Climate Summit, the Plan needs to be the first of many big moves by the UK.

The CEE bill represents that Big Move. It will ensure that the UK plays its fair and proper role in limiting global temperatures to 1.5°C (alarmingly we are not even on track to limit rising temperatures to 2°C). It will take account of the UK's entire greenhouse gas footprint. It will actively conserve our natural world by mitigating the damage to nature caused by our vast supply chains.

Communities, Councils and Government must all work together to take concerted action towards far-reaching cultural, technological and environmental change. Otherwise, we will be heading towards a tipping-point with unknown consequences for present and future generations. The CEE Bill will be brought to Parliament in March for its second reading. Once ratified by legislation, the CEE Bill will be empowering. It will be a significant move towards a robust green recovery plan while restoring and protecting wildlife, nature and soil health. It will offer new funding to benefit cash-strapped local authorities which are currently unable to meet public expectations for a post-pandemic green recovery and climate resilience.

I am asking the Council whether it will be prepared to safeguard future generations in the Derbyshire Dales community by supporting the CEE Bill? It would signal to our MP that the UK is a standard-bearer for serious climate and ecological action on the world stage and will be worthy of presentation at the (COP) 26, to be held in Glasgow in November.

RESPONSE

Thank you for your question. The issue of the CEE Bill is the subject of a motion to be debated later on this agenda. I can't pre-empt the outcome of that debate, but it will be interesting to hear the views of Members on the matter.

222/20 – INTERESTS

Councillor Peter O'Brien declared an interest in agenda item 15 as he had a relative who was in receipt of Council Tax Support.

223/20 – APPROVAL OF MINUTES

It was moved by Councillor Steve Flitter seconded by Councillor Jason Atkin and

RESOLVED	That the Minutes of the Derbyshire Dales District Council held on	
	Council – Extraordinary Meeting	25 November 2020
	Council	26 November 2020
	Council – Extraordinary Meeting	14 December 2020

be approved as a correct record:

Voting	In favour	35
	Against	0
	Abstain	1

The Chairman declared the motion CARRIED.

224/20 - LEADERS' ANNOUNCEMENTS

Councillor Gary Purdy Leader of the Council, made the following statement:

“Dear Members

Well – Happy New Year Everyone.

I am sure we will all be glad to see the back of 2020.

We are of course living in unprecedented times and we still have enormous challenges in front of us this year as a result of the wide spread of Covid 19 accelerated by a new variant, but worse, spread more by far too many people ignoring sensible NHS and Government guidance on social distancing measures.

I am sure like me your thoughts and prayers go out to the NHS staff, Ambulance Staff, Care Staff and all other Front Line Key Workers and at times one wonders if and how we could help and assist in some way. In this regards I arranged for the Chief Executive to send a letter of thanks to be sent to our Derbyshire Hospitals who no doubt have many of our Derbyshire Dales residents as patients and who will have suffered the sad loss of loved ones.

I appreciate the Group Leaders signing up to this letter and I am sure you will join me in offering our condolences to those that have suffered loss at this awful time. I felt in the circumstances that the letter of appreciation was the least we could do. We have received a nice response from Dr Penelope Blackwell of Hannage Brook Medical Centre who is leading the Covid Vaccination roll out in the South area of Derbyshire Dales.

On the Local Engagement Board meeting on Friday, 15th January Derbyshire passed on the message to Dr Chris Clayton at DDCCG that we stand by ready to help and assist the NHS in whatever way we can.

Witnessing the harrowing scenes in our Hospitals on the news each evening and last night at Royal Derby Hospital, leaves one feeling frustrated with thoughts of what more can be done to help. The Vaccination programme is very much on target and a tremendous job is being done by all concerned.

As a consequence of no less than 9 separate Government Business Support grants rolled out recently by Government the Chief Executive has found it necessary to pull staff from other Departments to deal with the huge surge in applications. It is a rigid bureaucratic process and takes time to deliver.

I appeal therefore to Members to be mindful of this fact and that pressure in certain Departments will be high and as a result you will have to be patient with any matter you need help with.

This has been exacerbated by a number of staff testing positive for Covid 19 and this includes our support staff like Serco and the inevitable knock-on effect by staff having to self-isolate.

Our thoughts and Get-Well messages go to all staff and we hope you get better soon. Our thoughts and prayers go to Cllr Mark Salt and his family who have been struck down by Covid 19. I am sure Members will also join me in wishing Cllr Joyce Pawley the very best of luck and good wishes for her forthcoming major operation. Best wishes Joyce, I am sorry to hear of your cancellation again.

Floods in the area – I spoke to Cllr Simon Spencer, Cabinet Member for Highways about the situation re flooding at 5pm last night in order to get a handle on the situation. You will be aware by now that the Leader, Cllr Barry Lewis declared a Major Incident in Derbyshire. Today, Cllr Barry Lewis has announced the setting up of a £100,000 fund to help businesses and people affected by the floods.

That meant all emergency services were on stand-by during the night with the Fire Brigade ready to pump if necessary and they were soon called into action in Bakewell.

The Green & Clean Team Staff have been working extremely hard overnight and this past few days filling Sand bags etc and keeping an eye on really vulnerable areas in the event that we need to evacuate, with the emphasis on the preservation of life, and a number of comments have already come in singing the praises of the work of the Director of Community & Environmental Services and his team.

In fact Cllr Mark Wakeman rang me this afternoon to say what an excellent job had been done by all and how proud he was at the way Bakewell people had pulled together in a time of crisis.

A sterling job done once again and very much deserving of a reward, I know that my view on this is shared by Group Leaders Cllr Neil Buttle and Cllr Mike Ratcliffe.

The Chief Executive and Director of Community & Environmental Services have also expressed their thanks to Councillors Alyson Hill, Alasdair Sutton and Mark Wakeman for their help to the Director of Community & Environmental Services and the Team until the early hours of the morning. It is a credit to the three of you and shows dedication to your community.

The Chief Executive on behalf of the Authority, the Staff involved, but especially on behalf of the residents of Wye Bank, Bakewell wishes to express immense appreciation to Derbyshire County Council Staff and to the Derbyshire Fire & Rescue Team who worked tremendously

hard at Wye Bank, Bakewell until the early hours of this morning and helped save a dangerous situation from forcing the evacuation of the residents.

And finally – An important announcement Members – I can report that with the blessing of my Group that I have formed an Alliance between the Conservative Group and Independent Members – Councillors Graham Elliott and Richard Bright who have agreed to join with us to form a new Group. The new title of the Group is to be the ‘Conservative & Independent Group’. This group will be the Majority Group.”

225/20 - CHAIRMAN’S ANNOUNCEMENTS

Councillor Helen Froggatt advised the Council that she had visited Elton with Councillor Colin Swindell to judge the Decorated Houses. Councillor Froggatt thanked residents for a wonderful night and which was a credit to the village and something that other villages could look at doing. Councillor Swindell thanked Cllr Froggatt for attending especially as the weather was so atrocious.

226/20 – COMMITTEES

It was moved by Councillor Richard Fitzherbert seconded by Councillor Jason Atkin and

RESOLVED That the non-exempt minutes of the Committees listed in the Minute
(unanimously) book for the period 19 November 2020 to 12 January 2021 be received

227/20 - QUESTIONS (RULE OF PROCEDURE 15)

a) Question from Councillor Robert Archer to Councillor Garry Purdy, Leader of the Council:

“Given that many residents in Ashbourne have seen charges for parking permits increase from £92 to £348 since 2017 and the issue of parking charges in general is considered to be a major factor in the ongoing decline of the high street, will the Council commit to a review of parking policy in the interests of fairness and to help local businesses bounce back after COVID?”

Response from Councillor Purdy:

The financial impacts arising from the Covid-19 pandemic on all sectors of the economy are acknowledged, not least upon the District Council’s own finances and the final impact will not be known for some time to come.

The economic recovery plan will therefore need to focus upon a wide range of issues and support packages from national and local government.

Whilst parking charges are often criticised, it is pertinent to note that Derbyshire Dales charges do not increase with inflation each year unlike most authorities and have only been amended twice in the last 8 years.

Car parking income provides valuable financial support for the delivery of a wide range of council services. It is one of our main sources of income, without which, costs would need to

be increased elsewhere or services reduced. Reducing charges is not therefore a straightforward issue

The parking charges which were agreed by Members as part of the Parking Review 2017 are consistent across the district. It is not proposed to increase charges in 2021.

Charges for annual permits were approved by the Community and Environment Committee on 5 December 2017 where it was agreed that charges would be increased over a 3 year period. This process has now concluded.

There are only 105 residents across the whole District which have permits for our car parks, 17 of which are in Ashbourne. All residents also have the benefit of a Derbyshire Dales parking permit which provides free parking for a significant proportion of the day.

A review of the Car Parking Order is significant piece of work and Members have already agreed that their priority for 2021/22 is a review of the Council's Clean and Green service. There is insufficient strategic capacity to undertake a second major review in 2021/22. However, we will look to do whatever we possibly can to support our high streets as part of our own economic recovery plan.

Supplementary question from Councillor Archer:

Councillor Archer understood that a review of the Parking Policy could not take priority at present but asked that Members looked at the case of a small group of residents living on Green Road, Ashbourne who had a separate prior agreement before the blanket changes came in as they had given up parking spaces for development.

Councillor Purdy asked Councillor Archer to email him the details and he would take the matter up with the relevant Officers.

b) Question from Councillor Colin Swindell to Councillor Garry Purdy, Leader of the Council:

“Construction work on the main development site at Cawdor Quarry (beyond the Gateway scheme) with only outline permission started in February 2020 with unauthorised site clearance and later earthmoving and construction of a haul road. More recently five houses forming part of Phase 3 of the development have been constructed and were retrospectively granted planning permission for reserved matters on 11th January 2021. However, the outline permission for the development contains many important conditions for which submissions are required and must receive the Council's approval before any works commence on site. These include landscaping, phasing of the development, ecological mitigation plans, traffic monitoring on adjacent roads, and a Community Liaison Group.

Can Councillor Purdy please tell me why has development been allowed to proceed in breach of these conditions?”

Response from Councillor Purdy:

Thank you for your question, Cllr Swindell.

Officers are aware of this. The situation is that the outline permission covers everything except the landscaping on the individual phases. The applicants need to submit details of the landscaping alongside discharging the conditions on the outline permission for each

phase. We know that some conditions on the outline permission remain to be discharged, although submissions have been made by the applicants. Therefore, whilst the construction of the 5 dwellings is a technical breach of the planning permission it is expected that this breach will be resolved in the very near future. In the interim all the risk is with the developers, as Council officers have inspected the site in the company of ecologists and are satisfied that no harm has resulted from the works undertaken to date

Supplementary question from Councillor Swindell:

Concerned that developers are using the veil of Covid to disregard conditions and if we don't clamp down it will set a precedent and was seeking an assurance from Councillor Purdy that if developers continue to breach Planning Control they could be brought back to Councillor Purdy to make sure they were enforced.

Response from Councillor Purdy: Most certainly.

c) Question from Councillor Colin Swindell to Councillor Garry Purdy, Leader of the Council:

“With the Bakewell Road redevelopment plans approved by this council, locally there is growing concern over the future of the family-run Jackson’s Fruit and Veg stall which is currently situated inside the Matlock bus station.

Can Councillor Purdy reassure me that everything possible is being done to find suitable and agreeable new premises for the business to continue trading in the town and they will not be forced to vacate their bus station stall until this has happened?”

Response from Councillor Purdy:

Councillor Swindell has already been sent a briefing note on this matter, as have all Matlock ward members.

Negotiations are ongoing with the stallholder, and it would be wrong to hold those in public at this meeting.

I would however point out that since discussions began with the stallholder in Autumn 2019, he was previously offered the option of alternative space within the proposed development. He was also offered alternative District Council premises available within Matlock. Unfortunately neither were of interest to him and were therefore ruled out. However, the previous offer of alternative District Council premises remains on the table. The stallholder can also seek business advice from the Council’s Business Advisor.

The District Council’s ambition has been to retain the remaining stallholder in Matlock. However, ultimately it is the stallholder’s decision as to whether this part of his business remains within Matlock.

Supplementary question from Councillor Swindell:

The alternative premises don't fulfil the family's requirement and they could be put out of business

Response from Councillor Purdy:

Reiterated - the District Council's ambition has been to retain the remaining stallholder in Matlock. However, ultimately it is the stallholder's decision, the Bakewell Road development is important to Matlock.

d) Question from Councillor Clare Gamble to Councillor Garry Purdy, Leader of the Council:

"During the Coronavirus pandemic the council has responded well in dispensing the various grants available to businesses, and in recognition of the impact of Covid-19 wrote a Covid Economic Recovery Plan. Another threat to business this year is the introduction of customs red tape and extra charges to export to the EU and Northern Ireland, combined with a government dismissing a permanent change to our trading relationship with a large, and previously easily navigated, export market that constitutes 45% of UK exports, as mere "teething problems". This new situation will be particularly hard for small businesses to navigate, who will largely, not be able to employ the customs specialists larger firms may be able to. Many will give up on exports, unable to devote the time required to absorb the ins and outs of Commodity Codes, INCO terms etc., fearing fines and extra costs from not completing paperwork correctly.

Export can play a valuable role in business expansion as well as keeping firms afloat, and already businesses are reporting difficulties, which could lead to business failure and job losses. So can I ask if the council has any plans to include the outcome of Brexit in it's economic recovery plans?"

Response from Councillor Purdy:

Thank you for your question, Councillor Gamble. The answer is yes.

The Economic Recovery Plan approved by Council in November already includes Brexit. The approved Plan includes the following action:

Lobby the Government to urgently establish the UK Shared Prosperity Fund that was intended to replace EU structural and investment funding post-Brexit, and ensure that it adequately supports rural and small businesses.

The Council has endorsed a Rural Economy Position Statement. This has already been sent by officers to the Government via D2N2, East Midlands Councils, and the Rural Services Network, to lobby for suitable small business funding post-Brexit.

With regard to exports, East Midlands Chamber offers a comprehensive export support programme. Its next event on Trading with the EU is on 9th February.

Attendance is online, and free of charge to Chamber members and non-members.. I would encourage all exporters to attend this event and make use of the support that the Chamber is offering to support post-Brexit trade

e) Question from Councillor Clare Gamble to Councillor Garry Purdy, Leader of the Council:

"Cllr Purdy, you wrote in a recent email....."We recognise on scenario 2 that the two policy Committees allow us a casting vote as Chair,.... But were concerned that this would not stack up on Planning with the concern for Gritstone Road."

Can you explain what you meant by this comment, what your specific concern is?"

Response from Councillor Purdy:

Thank you for your question, Councillor Gamble.

My specific concern relates to the overall balance of the Planning Committee and its membership to enable us to determine applications of all varieties that are submitted. The Council has agreed a Local Plan, which has been endorsed by the Planning Inspector that sets out the proposed areas for development during the period covered by the Plan. As Leader of the Council, the delivery of the Local Plan is a priority and failure to deliver all sites allocated in the Local Plan should be a concern for all members if we are to prevent development taking place indiscriminately across our district.

f) Question from Councillor Clare Gamble to Councillor Garry Purdy, Leader of the Council:

"At the last meeting I asked a question about the constitutional justification for the role of Leader and Deputy Leader and got a reply which failed to state there was no constitutional justification for these roles. I have also been informed since the meeting that the vote on your allowances was a vote to install you and Cllr Hobson into the roles of Leader and Deputy Leader. Had I been clear on this, I would not have voted as I did.

The Monitoring Officer wrote before that meeting "Regarding the roles of Leader and Deputy Leader.....There is also no provision in the constitution for these appointments - it states there will be a Leader but is silent on how and when they will be appointed. Until I can bring forward a proposal to rectify this situation, the recommendation in Thursday's report to confirm the payment of the Special Responsibility Allowances to you and Cllr Hobson as Leader and Deputy Leader will suffice to confirm your roles until the annual meeting."

Do you feel it brings both reputational harm and legal risk for the council, to be in the position of having leadership with no constitutional authority, at a time when the decisions of it's committees are open to legal challenge due to lack of political proportionality?"

Response from Councillor Purdy:

Thank you for your question Councillor Gamble. I do not think there is any risk of challenge to the decisions of the Council presently and nor do I believe there is reputational harm arising from the political balance of the Council. On 26 November, we were recommended to agree a suspension of political balance which would have enabled a fair distribution of seats amongst political groups and the non-aligned councillors. I recall that you and two other Members voted against that to create the perception you have of a risk of challenge and reputational damage. The recommended action, supported by the four political group's leaders, fell because of game playing at a time when the Council needs strong leadership to respond to the challenges of the pandemic. That created more harm and risk than anything else.

g) Question from Councillor Peter O'Brien to Councillor Garry Purdy, Leader of the Council:

"In the light of the fact that the composition of the Council's Committees does not comply with the requirements of Section 15 of the Local Government and Housing Act 1989, and that the Council has not passed a resolution to agree Member representation on Committees

outside the proportionality requirements, with the consequence that the Council appears to be operating outside the legal framework as set out in the Constitution, do you consider that

- 1) *Decisions made at Committees are lawful, and binding on the Council?*
- 2) *Such decisions are capable of withstanding a legal challenge?"*

Response from Councillor Purdy:

Thank you for your question Councillor O'Brien. The answer is yes and yes.

h) Question from Councillor Peter O'Brien to Councillor Garry Purdy, Leader of the Council:

"As at 15 January 2021 the Council had rejected 272 applications for Test and Trace Support Payments, out of a total of 310 applications made by residents in the District who have been instructed to self-isolate. Since 28 September 2020, the Council has made a single discretionary payment under the same scheme.

Do you agree?

1. that the number of applications approved, 38 out of 310, is a sad indictment of this Government's commitment to supporting working people during the Coronavirus pandemic, and is likely to have led to an increase in the number of local Coronavirus infections as people have been unable to afford to stay at home during their period of isolation

2. that the single discretionary payment, of £500 and fully funded by the Government, to one working person forced to isolate for 10 days, stands in stark contrast to the hundreds of thousands of pounds paid out by the Council to the multinational company Serco and to Freedom Leisure in order to sustain their profits, and would you be in favour of the Council adopting a more compassionate approach to its definition of "exceptional circumstances" during the remainder of the current scheme?"

Response from Councillor Purdy:

In response to Question 1:

The high proportion of unsuccessful applications is explained by several factors including:

- i. Applicants not meeting the eligibility criteria set by government for the mandatory (main) scheme;
- ii. Applicants not meeting the eligibility criteria for the discretionary scheme which was approved by Council.
- iii. Multiple applications being made by some applicants, which has the effect of distorting the overall success rate.

For the main scheme the Council has made 37 payments out of the government funding of £22,000, which would cover 44 payments. This means that the Council only has funding left to cover 7 more payments and implies to me that payments are roughly in line with government expectations.

In response to Question 2:

The criteria for the discretionary scheme was taken as an urgent decision due to the tight timescales but was it reported to Council on 26 November 2020, when members were given information on application and payment numbers and had the opportunity to amend the discretionary scheme.

Government funding for the discretionary scheme is sufficient for only 26 payments and so the criteria had to be tight to avoid the risk of overspend. The criteria included a requirement for the applicant to have either claimed or received Council Tax Support within the previous two months, which was simple to verify (and therefore quicker to pay) and ensured that those on the lowest incomes should be eligible, while not creating a risk of exceeding the funding that was awarded.

I would not support a change to the discretionary scheme at this stage as, on the grounds of fairness, this would require the small and very busy benefits team to revisit all unsuccessful applications made to date (over 270) to see if they met the new criteria and they do not have capacity to do so at the current time.

Supplementary question from Councillor O'Brien:

There has been over 2000 positive cases in the district and the District Council has only made one discretionary payment, the advice from the Government is that the scheme is extended and changes to the criteria made.

Response from Councillor Purdy:

Officers and Members to review

228/20 – PROPOSAL OF A NOTICE OF MOTION (RULE OF PROCEDURE 16)

MOTION

The Council debated the following Motion, submitted by Councillor David Chapman, in accordance with Rule of Procedure 16

Councillor David Chapman thanked Wendy Bullar and the Derbyshire Dales Climate Hub group for bringing it to Council.

Motion:

That this Council welcomes the re-arranged COP26 Climate Change Conference which is to take place in Glasgow at the beginning of November with the UK Government as Host, but calls upon the Government to implement the following:

- *Be a World Leader in the fight against climate change.*
- *Through the Climate and Ecological Emergency Bill before Parliament develop an emergency strategy that:*
 - *The UK Government takes a lead consistent with limiting global temperature Worldwide to a maximum of 1.5 degrees C*
 - *Provides an end year date for the complete eradication of noxious pollution from all vehicular transport.*
 - *Protects and restores biodiverse habits coupled with land management of the soil and trees in order to help the carbon sink.*

- *Invest in technology that aims to reduce our carbon footprint in all spheres of life.*

It was moved by Councillor David Chapman seconded by Councillor Neil Buttle and

RESOLVED
(Unanimously)

Cllr Chapman and Cllr Purdy to lobby and work with MP Sarah Dines to ensure the Private Members Bill becomes an Act

The Chairman declared the motion CARRIED

Councillor Colin Swindell left the meeting 18:14 for Item 10.

229/20 – MEMBERSHIP OF COMMITTEES

Council were asked to approve the following nominations to Committees:

Governance and Resources Committee – Councillor Swindell to replace Councillor Elliott

Planning Committee – Councillor O'Brien to replace Councillor Ratcliffe as a substitute member

It was moved by Councillor Susan Bull, seconded by Councillor Helen Froggatt and

RESOLVED
(Unanimously)

Councillor Colin Swindell to sit as a Member of Governance & Resources Committee
Councillor Peter O'Brien – Planning Committee substitute

The Chairman declared the motion CARRIED.

Councillor Colin Swindell re-joined the meeting for Item 11

230/20 – APPOINTMENT OF REPRESENTATIVE TO THE DERBYSHIRE POLICE AND CRIME PANEL

Council Members were asked to approve the appointment of Councillor Purdy as the representative of the District Council on the Derbyshire Police and Crime Panel

In response to a question on why Councillors from another Group could not be appointed as a representative, The Director of Corporate & Customer Services and Monitoring officer advised Members the County Council required them to appoint a Councillor from the Conservative and Independent Group.

During the debate Councillor Hughes nominated Councillor Bright but this was not seconded. Councillor Bright advised Council that he supported Councillor Purdy's appointment

Councillor Purdy raised a Point of Order it has to be a Conservative Member.

During the debate Councillor Raw nominated Councillor Bull. Before the nomination was seconded Councillor Bull informed Members she did not wish to be nominated as she did not feel that she had the relevant experience to carry out the role.

It was moved by Councillor Susan Hobson, seconded by Councillor Jason Atkin and

RESOLVED Councillor Purdy to represent the District Council on the Derbyshire Police and Crime Panel

Voting	In favour	20
	Against	7
	Abstain	8

The Chairman declared the motion CARRIED.

231/20 – FUTURE TELECOMMUNICATIONS

Council considered a report updating the membership on the progress of project to replace and upgrade the Council's current telephone systems, to outline potential issues and benefits.

The Business Support Manager gave a brief introduction to the benefits of the new system which included:

- enabling customers to enquire of, and transact with the District Council, in the most efficient manner.
- reflecting the One Team, One Council, One Purpose approach by enhancing communication and collaboration across the authority. The resilience and flexibility it created would aid residents by improving the services provided and linked to the Council's aim of providing excellent services.
- Addressed the issue of climate change by reducing carbon emissions links with all three of the District Council's aims to be clean, safe and thriving

It was noted that the ICT Service Review Team had approved the Project Brief on 1 October 2020 for incorporation into the ICT Projects Register.

The Business Support Manager thanked, Ian Brailsford, Digital Transformation Officer and Craig Protheroe, Senior Technology Officer for their technical help and support with this project.

The report highlighted the following two main potential barriers to the successful, timely delivery of this project:

- technical issues relating to the Council's ICT networking and connections;
- lack of awareness and resistance to the cultural change that will be necessary.

Joint ICT Service colleagues advised that the networking and connections issues that may arise would be mitigated by the Network Switch Replacement project, which had already been approved for inclusion in the Capital Programme for 2021/22.

With regard to the lack of awareness and resistance to cultural change, a communications push would be required to inform and update all staff. This was seen to be one of the key factors in a successful delivery. The proposed implementation date of 28 February 2021 would allow for timely communication around the changes that will impact on staff.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Michelle Morley and

RESOLVED
(Unanimously)

1. That approval be given to the early release (in 2020/21) of the £30,000 allocated for Network Switch Replacement in the 2021/22 Capital Programme if technical issues require it.
2. That the project implementation deadline set as 28 February 2021 to accommodate the full proof of concept trial and to allow for a comprehensive internal communications package to be released.

The Chairman declared the motion CARRIED.

232/20 – LOCALISM ACT – PAY POLICY STATEMENT

Council received a report to review and approve the Annual Pay Policy Statement 2020-2021 for publication.

The Chief Executive asked Members to consider the Pay Statement for the 2020/21 financial year as attached in Appendix 1 of the Agenda. The Localism Act specifically referred to the adoption of the Pay Statement to the Council as a responsibility it cannot discharge. This policy statement has been produced in accordance with Sections 38 to 43 of the Localism Act 2011 (the Act), which, from 2012 onwards, which required local authorities to publish an annual statement of their policy for the relevant financial year in relation to:

- The remuneration of their most senior employees (which the Act defines as the Head of Paid Service (Chief Executive), the Monitoring Officer, the Chief Officers (or Corporate Directors), and the Deputy Chief Officers (i.e. Directors)
- The remuneration of their lowest-paid employees; and
- The relationship between the remuneration of the most senior employees and that of other employees

The relationship between the remuneration of the most senior employees and that of other employees

With regard to bonus payments and there being no contractual recognition some Councillors suggested that there should be a process for giving honorary / bonus payments for recognition of non-contractual work for example during the Flooding. The Chief Executive advised that he had no delegated authority to give bonus payments.

It was moved by Councillor Jason Atkin, seconded by Councillor Sue Hobson and

RESOLVED
(Unanimously)

That the annual Pay Policy Statement 2020-2021 be approved

The Chairman declared the motion CARRIED

233/20 – PROVISIONAL LOCAL GOVERNMENT FINANCE SETTLEMENT 2021/22

Members were asked note a report informing the Council of the provisional Local Government Finance Settlement for 2021/22 together with its implications for the Council's

finances. The appendix to the report sets out the Council's response to the Government's consultation paper on the settlement.

The Director of Resources informed Members, responses to the consultation paper were submitted by the required 16 January 2021 deadline in consultation with Political Group Leaders, the Leader and Deputy Leader and Chair and Vice Chair of the Council. This was given in Appendix 1 of the report.

It was moved by Councillor Chris Furness, seconded by Councillor Helen Froggatt and

RESOLVED
(Unanimously)

1. That the provisional Local Government Finance Settlement for 2021/22 be noted.
2. That the response to the Consultation Paper, as given in Appendix 1, be noted

The Chairman declared the motion CARRIED

234/20 – LOCAL COUNCIL TAX SUPPORT FOR 2021/22

It was noted that Councillor Peter O'Brien had declared an interest in this item.. Members were asked note a report providing information relating to proposed changes to, and seeking approval to adopt, the Local Council Tax Reduction Scheme for the financial year 2021/22.

The Director of Resources asked Members to note the updated report circulated on 21/1/21 requesting delegated authority be given to the Director of Resources to implement and amendments when the uprating circular had been received from DWP.

It was moved by Councillor Tony Morley, seconded by Councillor Michelle Morley and

RESOLVED
(Unanimously)

1. That under section 13A (1)(a) of the Local Government Finance Act 1992, the Council approves and adopts the scheme detailed in this report as the Local Council Tax Reduction Scheme for 2021/22 with delegated authority being given to the Director of Resources, after consulting with the Chairman of the Governance & Resources Committee, to make any amendments arising from the publication of the DWP uprating circular.
2. That a maximum total amount of £18,000 be set provisionally for all Discretionary Hardship Fund applications under Schedule 11 of the scheme for 2021/22 (to be reviewed by a further report to Council during the year if it appears that this amount may be insufficient).

The Chairman declared the motion CARRIED

235/20 – RESILIENCE, RESOURCES, PRIORITIES – FINANCIAL SERVICES TEAM RESTRUCTURE

The Council received a report setting out proposals to amend the structure of the Financial Services Team to provide adequate resilience and resources to meet the ongoing demands of the service and seeking approval for the creation of additional posts and associated expenditure

The Chief Executive gave a brief introduction to the report and explained why experienced staff were leaving and suggested that it had been obvious for some time that the current Financial Services structure was insufficient to meet all of the requirements of the service. This had resulted in prioritising certain tasks to the detriment of others, whilst also contributing to high workloads and stress across the team and the resignation of key team members. It was suggested that the turnover of the Financial Services Manager post (twice in a two year period) may have impacted effective process improvement, and it had been found that some tasks, which were previously routinely completed, were no longer being carried out as frequently or to the required standard. There was also evidence of single person dependencies, which was a risk in terms of business continuity. It was confirmed that another key team member resigned in December 2020, citing workload and stress as the reasons.

It is not expected that additional external pressures and priorities would subside and this would result in a spiral of declining performance and output from the service, and the associated pressure and poor mental health impacts that would follow. There was a high risk that other members of staff would leave the organisation if these issues were not addressed resulting in a situation where key tasks may not be completed within deadlines or controls, such as budget monitoring, would cease to be applied.

The Director of Resources explained the present structure and the proposed structure for Financial Services.

The increase in the workloads pre-date the increased demand arising during the coronavirus pandemic. The demands placed upon the service have grown over a number of years due to:

- increasingly complex accounting rules;
- a new requirement for the completion of the Statutory Statement of Accounts in two months, rather than three;
- changing requirements for Collection Fund (council tax and business rates) accounting;
- the outsourcing of revenues and benefits (some decisions have to be made by the Council even though the service is outsourced);
- late finance settlements and long term uncertainty about the funding of the Local Government sector;
- increased sanctions from HMRC for VAT accounting errors (at the same time as the loss of VAT knowledge from the organisation with the turnover of the Financial Services Manager post), as well as the Making Tax Digital project;
- An increase in the number and complexity of reports to central government.

It is not expected that additional external pressures and priorities will subside and this could result in a spiral of declining performance and output from the service, and the associated pressure and poor mental health impacts that would follow. There was a high risk that other members of staff will leave the organisation if these issues are not addressed resulting in a

situation where key tasks may not be completed within deadlines or controls, such as budget monitoring, would cease to be applied.

The proposals set out in the report would result in additional ongoing revenue expenditure of £41,090 per annum. In 2021/22 this would be funded from the additional government funding received as part of the 2021/22 provisional Local Government Finance Settlement. For future years all spending will be reviewed if the outcome of the Fair Funding Review and the Business Rates Review resulted in a significant funding gap. The financial risk is assessed as medium. However, the financial risk from inadequate staffing levels leading to VAT errors, missed grant deadlines and substandard financial management would be high.

It was moved by Councillor Steve Flitter, seconded by Councillor Sue Bull and

RESOLVED That the proposed changes to the structure of the Financial Services
(Unanimously) Team be approved with immediate effect and the costs be included in the revised estimates for 2020/21 and the draft budget for 2021/22

The Chairman declared the motion CARRIED

236/20 – EXCLUSION OF PUBLIC AND PRESS

It was moved by Councillor Richard Fitzherbert, seconded by Councillor Mark Wakeman and

RESOLVED That the public and press be excluded from the meeting during the
(Unanimously) following item of business as it may result in the disclosure of exempt information relating to individuals.

The Chairman declared the motion CARRIED

237/20 – APPROVAL OF EXEMPT MINUTES

It was moved by Councillor Sue Bull seconded by Councillor Andrew Shirley and

RESOLVED That the Minutes of the meeting of the Community and Environment
(Unanimously) Committee held on 16 December 2020 be received:

238/20 – SEALING OF DOCUMENTS

Councillor Hobson thanked the Chief Executive, Director of Regulatory Services and Communications and marketing Manager for all exceptional work during the flooding being up until the early hours of the morning and then in work the same morning.

It was moved by Councillor Sue Hobson, seconded by Councillor Chris Furness and

RESOLVED That the common seal of the Council be affixed to those documents,
(Unanimously) if any, required to complete transactions undertaken by Committees

or by way of delegated authority to officers since the last meeting of the Council.

The Chairman declared the motion CARRIED

MEETING CLOSED 8:36PM

CHAIRMAN