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## **COUNCIL**

### **Minutes of a Virtual Extraordinary Council Meeting held at 6.00 pm on Monday 14 December 2020.**

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](http://www.derbyshiredales.gov.uk) or via our YouTube channel.

#### **PRESENT**

Councillor Andrew Shirley - In the Chair

Councillors Jacqueline Allison, Robert Archer, Jason Atkin, Richard Bright, Matthew Buckler, Sue Bull, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Paul Cruise, Tom Donnelly, Richard FitzHerbert, 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, Mark Salt, Peter Slack, Andrew Statham, Alasdair Sutton, Colin Swindell, Steve Wain and Mark Wakeman.

Paul Wilson (Chief Executive), James McLaughlin (Director of Corporate and 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), Ashley Watts (Director of Community & Environmental Services and Jason Spencer (Electoral and Democratic Services Manager).

The meeting was recorded and broadcast live on YouTube.

#### **APOLOGIES**

Apologies for absence were received from Councillors Elisa McDonagh, Joyce Pawley and Lewis Rose OBE.

## **DECLARATION OF INTERESTS**

Councillor Jason Atkin declared a personal interest in items 5 as his partner was a client of NHCHA.

Councillor Furness declared a personal interest in items 7 and 8 as a Director of Bradwell Community Land Trust.

## **QUESTIONS**

The following question was submitted in writing and were read out at the virtual meeting:

**Peter Dobbs, a resident of Ashbourne, on Item 6; Corporate Plan Performance and Priorities.**

My question concerns the Pledge in the Corporate Plan section 'Prosperity' for reducing the number of empty homes in the District.

In the table on p27 of the agenda, final column, it says that 'since May, visits to all the empty homes on the council tax register have taken place.'

Could the Council state:

1. How many homes were visited?
2. How many of those homes are in Ashbourne?
3. How many of those homes are paying Council Tax at all, and how many at a higher rate due to being empty for over 5 years?
4. Is the derelict building known as Victoria Court Flats on Buxton Rd (previously the Victoria Memorial Hospital) included in any of the above categories and if so which ones?

(This building is a burnt out eyesore that has been the target of multiple arson attacks).

## **ANSWER**

Derbyshire Dales District Council no longer employs an Empty Homes Officer (a result of austerity measures) and the resources dedicated to inspections is limited as it has to be undertaken as part of other activities e.g. alongside the electoral registration canvass. The responses to the 4 questions from Mr Dobbs are:

1. 604 properties were visited between 25 June and the end of September.
2. Of those 604 properties, 58 were in the area covered by Ashbourne Town Council
3. Of those 58 properties in Ashbourne, all will be being charged council tax unless a discount or exemption has been identified and applied since the visit. None of them are being charged at a higher rate due to being empty for over 5 years, although 20 are being charged an empty homes premium due to being empty for more than 2 years.

4. Regarding the request for information relating to the derelict building known as Victoria Court Flats on Buxton Rd, the Council does not comment on the circumstances relating to individual properties, due to the Data Protection Act.

## **177/20 – REVIEW OF THE CLEAN AND GREEN SERVICE**

The Council considered a report on a proposed scope and methodology to be used to carry out a review of the Council's Clean and Green Service and to seek the views of Members in relation to the review and approval for the creation of a project group and sub group with terms of reference as detailed in the report. The report also asked the Council to approve a supplementary revenue estimate of £30,000 for 2020/21, financed from the general reserve, for the appointment of external consultants to support the review and provide benchmarking information.

The Council had last reviewed the service in 2012 when the main purpose was to reduce the costs and improve performance and while many elements resulted in positive feedback from service users, staff and other stakeholders, and delivered £120,000 of savings, there were some areas where the changes were unsuccessful in delivering on the principle aims of the review. It was therefore recommended that a fundamental review was required to make sure that the services could modernise and meet the demands and aspirations of the Council and its communities.

It was suggested that the Project Group should be supported by a Sub Group made up of one member and one substitute from each of the Council's four Political Groups and one member and substitute from the Councils independent Councillors. The Sub-Group would meet monthly to support the core group, provide feedback on its proposals and recommendations and inputting their own suggestions. The aim of the Group was to:

- To investigate and evaluate the options open to the Council and to recommend a revised policy that takes account of (for example) statutory requirements, financial impact analysis and stakeholder consultation.
- To conduct consultation with local Parish and Town Councils, along with other external agencies, such as the Wildlife Trust.
- To conduct an Equalities Impact Assessment of the draft policy prior to consideration by the Community & Environment Committee.

The aim was to complete the review by February 2022, with any new arrangements taking effect from 1<sup>st</sup> April 2022.

It was moved by Councillor Garry Purdy, seconded by Councillor Susan Hobson and

### **RESOLVED**

1. To approve the scope of the review, as outlined in paragraph 2.14 of the report.
2. To approve the creation of a project group, led by the Director of Community & Environmental Services to progress the review.

3. To establish a Sub-Group comprising of four Members as set out in paragraph 2.6 and with the Terms of Reference set out in paragraph 2.7 of the report.
4. To approve the allocation of funds for the appointment of external consultants and benchmarking of the service.
5. To approve a supplementary revenue estimate of £30,000 (for consultancy and benchmarking) for 2020/21, to be financed from the general reserve.
6. To confirm that further reports are presented to the Community & Environment Committee to update on the progress of the review and to agree any necessary changes to the service

**Voting:**

<b>For</b>	30
<b>Against</b>	0
<b>Abstentions</b>	3

The Chairman declared the motion CARRIED.

**178/20 - SELECTION OF A CONTRACTOR FOR THE COUNCIL HOUSING PROGRAMME**

The Council were asked to consider a report setting out the results of a procurement process to select a development and management agent and a proposed implementation plan for the delivery of a programme of 52 council owned housing for affordable rent and shared ownership.

In July 2020 the Council had approved a tender process to select a development and management agent to assist with the delivery of the Council's housing programme. It was noted that Nottingham Community Housing Association (NCHA) and Peak District Housing Association had responded to the invitation to tender and, although both presented strong bids and had previously delivered successful housing programmes in partnership with the Council, the NCHA tender had scored higher when evaluated in terms of quality (60%) and price (40%). It was therefore recommended that NCHA should be appointed.

It was noted that following their appointment one of the first actions would be to work with the Council to refresh the business plan and rework the appraisals used with the contractor's own appraisal systems. The business plan would then be updated annually as schemes came through the programme and forecasts would be updated. It was also noted that quarterly reporting will take place on new projects or opportunities.

It was suggested that when exercising the delegated Authority to agree housing investment to secure council housing the local ward members should be informed.

It was moved by Councillor Chris Furness, seconded by Councillor Mark Salt and

**RESOLVED**

1. To confirm the selection of Nottingham Community Housing Association as the development and management agent for the Council’s housing programme,
2. To delegate authority to the Director of Housing, in consultation with the Chairman and Vice Chairman of the Community and Environment Committee, to agree housing investment to secure council housing subject to the parameters established in the summary Business Plan in Section 3 and as set out in Section 4 of the report.
3. To confirm that future reports on progress of the business plan and the performance of the chosen contractor be brought to meetings of the Community and Environment Committee.
4. To agree that a report concerning the delivery of council housing be presented to the Council annually.

**Voting:**

<b>For</b>	30
<b>Against</b>	0
<b>Abstentions</b>	1

Councillor Peter Slack left at 6.50pm during consideration of this item.

**179/20 - CORPORATE PLAN 2020-2024 – PERFORMANCE 2020/21 AND PRIORITIES 2021/22**

The Council considered a report on the performance against the Council’s Corporate Plan Targets, since its adoption in March 2020. The report highlighted where performance was strong and where progress had been delayed by COVID-19. The Council were also asked to consider adoption of the Corporate Plan’s priority target areas for 2021/22, as detailed in Section 3 of the report, to enable service planning and budget preparation to take place in time for March 2021.

It was noted that, despite the COVID-19 pandemic, just under half of the target areas had either been completed or could be considered wholly complete within the timescales set out in Corporate Plan. Notable successes included the implementation of improved functionality of the District Council’s website; the provision of Electric Vehicle charging points across the District; and the continued delivery of a very successful business advice scheme. It was confirmed that there were some areas where targets had been impacted upon by Covid-19 most noticeably on the “Prosperity” projects where resources had been diverted to other areas such as distributing £1.7 million of Discretionary Grant Funding and affordable housing delivery targets.

The report also provided recommendations on priorities for the 2021/22 financial year and confirmed that for each area officers would produce detailed action plans which would be reflected in the service plans presented to the Council in March 2021.

It was moved by Councillor Tony Morley, seconded by Councillor Susan Hobson and

**RESOLVED**  
(Unanimously)

1. To note progress against the Corporate Plan 2020-2024 target actions.
2. To adopt the Corporate Plan priority areas set out in Section 3 of the report for 2021/22, to enable service planning and budget preparation to take place in good time for March 2021
3. To agree that a further report would be presented to the March 2021 meeting of Council with specific target actions for each of the priority areas set out in Section 3 of the report.

### **180/20 – HOUSING CAPITAL GRANT ALLOCATIONS**

The Council considered a report setting out proposed capital allocations for affordable housing delivery and a further round of energy efficiency measures. The affordable housing programme continued the Council's work to deliver housing for rent and shared ownership across the district. The energy efficiency programme built on the success of the Council's recent Green Homes Grant award and sought support for a second funding programme announced by government.

It was noted that since publication of the agenda the funding available for improvements to homes had increased to £1.3 million.

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

**RESOLVED**  
(Unanimously)

To approve the inclusion within the Capital Programme of £979,000 for the proposed affordable housing schemes and £1,300,000 for the improvements to homes as set out in the report.

The meeting was adjourned from 7.20pm to 7.30pm following consideration of this item. Councillor Colin Swindell left the meeting during the adjournment.

### **181/20 – CAPITAL PROGRAMME 2020 ONWARDS**

The Council considered a report seeking approval for an updated schedule of Capital Expenditure to reflect the corporate priorities, as detailed in the report. It was noted that the allocation to Ashbourne Pavilion had been revised to £175,000 to reflect the decision made by the Council on 26 November 2020.

The Director of Resources provided clarification on how the proposed ambitious programme would impact upon the Council's reserves and the benefits of internal borrowing arrangements and how they would work. It was confirmed that a training session was being arranged for all Members in the New Year which could include more detail on the use of reserves and public loans borrowing.

The Council expressed their gratitude to the Director of Resources and her team for their work on developing the Capital Programme.

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

**RESOLVED**  
(Unanimously)

1. To approve the at the revised Capital Programme and financing arrangements for 2020/21, as detailed in Appendix 1, in the sum of £10,386,944.
2. To approve the Revised Capital Programme for 2021/22, as detailed in Appendix 1, in the sum of £4,207,980.
3. To approve the Programme for years 2022/23 onwards, as detailed in Appendix 1 in the sum of £1,731,162.
4. To approve the financing of the Programme as set out in the report and the use of internally borrowed funds from the Council's cash balances of £617,000.
5. To note the potential future liabilities outlined in Appendix 2.

**182/20 – MOTION TO CONTINUE**

It was moved by Councillor Jason Atkin, seconded by Councillor Tony Morley and

**RESOLVED**  
(unanimously)

That in accordance with Procedure Rule 13, the meeting continue beyond 2½ hours to enable the remaining business items to be concluded.

**183/20 – REVIEW OF COUNCIL ASSETS**

The Council considered a report providing information on the methodology and outcome of the independent review of assets commissioned in the first instance, following the motion debated at Council on 2 July 2020 and to consider approval that authority be delegated to the Director of Regulatory Services and Director of Corporate and Customer Services to undertake actions as detailed in the report. To also seek the views of Members in relation to this review and to determine what further action, if any, should now be taken.

The representations made by Ashbourne Town Council at the meeting of the Council held on 26 November 2020 were noted.

The Council first considered the findings of the review of the Councils assets and considered what action should be taken.

It was therefore moved by Councillor Tony Morley and seconded by Councillor O'Brien:

- “1. That the report be noted and the thanks of the Council be conveyed to those organisations who contributed to the review of Council Assets.
2. That the list of Council Assets be presented to Governance and Resources Committee for review in the first year of each new term of the Council. “

The following amendment was moved by Councillor David Hughes, seconded by Councillor Steve Flitter:

“That, in recognition of the representations received from Tansley Parish Council highlighting a number of omissions from the asset register, additional work be undertaken to include all relevant Council owned assets across the district, with the updated list to include information where the ownership of assets is disputed.”

Following assurances that the information received from Tansley Parish Council and other respondents were being followed up and would be reviewed the amendment was withdrawn. A further amendment proposing that the asset register be updated annually was moved by Councillor Hughes, seconded by Councillor Flitter put to the vote and carried.

The motion was then put to the vote and CARRIED with 30 votes for 2 against and 1 abstention it was therefore resolved and

**RESOLVED**

1. That the report be noted and the thanks of the Council be conveyed to those organisations who contributed to the review of Council Assets.
2. That the list of Council Assets be updated annually and presented to Governance and Resources Committee for review annually.

**Voting:**

<b>For</b>	30
<b>Against</b>	2
<b>Abstentions</b>	1

The Council then went on to discuss the specific issues relating to the future of the Black’s Head figure which had recently been removed from above St John’s Street in Asbourne.

Councillor Richard Bright left the meeting during this part of the discussion.

A motion was moved by Councillor Tom Donnelly, seconded by Councillor Stuart Lees. A number of amendments were put forward but were withdrawn after the mover and seconder agreed to incorporate them into their motion. It was therefore:

**RESOLVED**

1. That, subject to listed building consent be received, the Black’s Head figure not be returned to its original location above St. Johns Street in Ashbourne.
2. That officers be authorised to undertake consultation with Ashbourne Town Council and neighbouring parish councils, as well as Ashbourne Heritage Society in order to determine, subject to listed building consent, an acceptable mechanism for the return, future custodianship, management and any public presentation of the Blacks Head figure and gallows.
3. That authority be delegated to the Director of Regulatory Services and the Director of Corporate and Customer Services to undertake the actions recommended by Council in respect of the above resolutions.

**Voting:**

<b>For</b>	30
<b>Against</b>	0
<b>Abstentions</b>	2

**184/20 – TEST AND TRACE SUPPORT PAYMENTS**

The Council considered a report on an urgent decision taken, regarding Test and Trace Support Payments and to provide a progress report on the schemes.

The Director of Resources provided an update on the number of applications received and processed since the report had been published.

The Council expressed their gratitude to the staff involved in setting up the scheme and processing payments.

Councillor Ratcliffe left the meeting during consideration of this item

It was moved by Councillor Jason Atkin, seconded by Councillor David Chapman and

**RESOLVED**  
(Unanimously)

1. To note the decision taken by the Director of Corporate and Customer Services, in consultation with the Chair of the Governance & Resources Committee, on 9 October 2020 (using arrangements approved by the Council for urgent decisions) and set out in the report.
2. To note progress on the schemes.

**185/20 – EXCLUSION OF PRESS AND PUBLIC**

It was moved by Councillor Jason Atkin, seconded by Councillor Mark Wakeman and

**RESOLVED**  
(Unanimously)

To exclude the public and press from the meeting for the remaining items of business to avoid the disclosure of exempt information relating to individuals.

**186/20 – COMMITTEES**

It was moved by Councillor Jason Atkin, seconded by Councillor Mark Wakeman and

**RESOLVED**  
(Unanimously)

To receive the exempt minutes of the Licensing & Appeals Sub Committee held on 03, 10 and 17 August 2020.

**187/20 – SEALING OF DOCUMENTS**

It was moved by Councillor Mark Wakeman, seconded by Councillor Jason Atkin

**RESOLVED**  
(unanimously)

That the common seal of the Council be affixed to those documents, if any, required to complete transactions undertaken by Committees or by way of delegated authority to officers since the last meeting of the Council.

**MEETING CLOSED 9.25 PM**

**CHAIRMAN**