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COUNCIL

Minutes of a Council Meeting held on Thursday 12 October 2017 in the Council Chamber, Town Hall, Matlock at 6.00 pm.

PRESENT

Councillor Andrew Shirley - In the Chair

Councillors Deborah Botham, Sue Bull, Martin Burfoot, Sue Burfoot, Albert Catt, Tom Donnelly, Ann Elliott, Steve Flitter, Helen Froggatt, Chris Furness, Alyson Hill, Susan Hobson, Neil Horton, Angus Jenkins, Jean Monks, Joyce Pawley, Garry Purdy, Mike Ratcliffe, Lewis Rose, OBE, Mark Salt, Peter Slack, Jacquie Stevens, Colin Swindell, John Tibenham, Philippa Tilbrook and Joanne Wild.

Dorcas Bunton (Chief Executive), Sandra Lamb (Head of Corporate Services), Paul Wilson (Corporate Director), Karen Henriksen (Head of Resources), Steve Capes (Head of Regeneration and Policy), Giles Dann (Economic Development Manager), Jim Fearn (Communications and Marketing Manager), Ian Brailsford (Business Transformation Assistant) and Jackie Cullen (Committee Assistant).

Superintendent Michelle Shooter and Inspector Dave Nash of Derbyshire Police.

PRESENTATION

Councillor Angus Jenkins arrived at 6.12pm during the presentation.

A short presentation was given by Superintendent Michelle Shooter and Inspector Dave Nash of Derbyshire Police on Policing in the Derbyshire Dales. Superintendent Shooter outlined the changes to divisional structures in the wider area; new initiatives including body-worn videos; and the outcome of an estate review. Inspector Nash then provided information on matters specific to the Derbyshire Dales area, such as response teams, neighbourhood teams and rural crime teams.

The Chairman thanked Superintendent Shooter and Inspector Nash for their informative presentation. They then took questions from the floor.

APOLOGIES

Apologies for absence were received from Councillors Jason Atkin, Jennifer Bower, Richard Bright, David Chapman, Graham Elliott, Richard FitzHerbert, Vicky Massey-Bloodworth, Tony Millward BEM, Tony Morley, Irene Ratcliffe and Andrew Statham.

150/17 – MINUTES

It was moved by Councillor Garry Purdy, seconded by Councillor Chris Furness and

RESOLVED That the Minutes of the meeting of the Derbyshire Dales District
(unanimously) Council held on 27 July 2017 be approved as a correct record.

The minutes were signed by the Chairman.

A minute's silence was held in commemoration of the late Jennifer Radford, an esteemed former Councillor who had passed away earlier in the week.

151/17 – INTERESTS

Councillors Sue Bull, Steve Flitter, Angus Jenkins, Lewis Rose, John Tibenham and Joanne Wild declared personal interests in Agenda item 9 (BUSINESS RATE REVALUATION: TEMPORARY RELIEF SCHEME). Members were advised that they still had full participatory and voting rights on this item.

152/17 – LEADER'S ANNOUNCEMENTS

The Leader of the Council reminded Members, in light of the presentation given earlier, that a session in respect of Emergency Planning was to be held at Alfreton on 25th October 2017. Cllr Rose encouraged Members to attend.

153/17 - CHAIRMAN'S ANNOUNCEMENTS

A list of engagements carried out between Thursday 27 July and Thursday 12 October 2017 was distributed at the meeting. The Chairman of the District of Derbyshire Dales also advised Members that he had signed a letter of condolences in respect of Jennifer Radford on behalf of the Council.

The Chairman of the District of Derbyshire Dales made particular mention of the Royal Visit to the Ashbourne Treasures, and his own fundraising 'open house' event which had raised £285 for his nominated charity. The Chairman advised that over £2,100 had so far been raised by his Charity Auction, excluding donations in lieu of attendance. Two further events were planned: a 6-ball snooker challenge; and in Spring, a Wine and Food evening with a raffle in aid of the Air Ambulance.

154/17 – COMMITTEES

It was moved by Councillor Garry Purdy, seconded by Councillor Chris Furness and

RESOLVED That the non-exempt minutes of the Committees listed in the Minute
(unanimously) Book for the period 27 July 2017 to 14 September 2017 be received.

155/17 – QUESTIONS (RULE OF PROCEDURE 15)

Councillor Mike Ratcliffe asked the following question of Councillor Lewis Rose, OBE, Leader of the Council

"The contribution of community led house building to our affordable housing in the district is rightly acknowledged by this Council in its Local Plan policies and by the financial support it is making available to Derbyshire Dales Community Land Trusts through the receipt of government funding. Given this background will the Leader of the Council join with me in

responding to the Government's DCLG consultation, regarding "Tackling Unfair Practices in the Leasehold Market", to express our disappointment over the emerging proposals to ban the sale of leasehold houses and to limit ground rates to "peppercorn" rates, both of which will inevitably have a grossly detrimental effect on this significant and growing affordable housing sector?"

Councillor Rose responded as follows:

"Community Land Trusts, other forms of community-led housing development and Affordable Housing providers often make use of long leases. In the case of CLTs this is usually to protect the long-term ownership of land, ensuring that the land and housing assets remain in the ownership of the community but offering long leases to their housing association partners to build, manage and maintain affordable homes. The long lease gives the housing association and their lenders the confidence to invest large sums of money, whilst the freehold remains in CLT ownership. Often a modest ground rent is charged to the housing association which is included in the rent charged to the tenant. Leases usually include ground rent review mechanisms which link increases to inflation.

There do appear to be examples of sharp practice in the private sector, with homes purchased on long leases including punitive ground rent increases in the agreements. Whilst the Government wants to stamp out this type of practice, we do not want to see a blanket ban on long leases. Used sensibly, long leases are a hugely valuable tool for CLTs and other types of community led housing which - after all - are designed to provide affordable homes.

Although DDDC has not responded to this specific consultation, we are aware that the rural and community led housing sector has made representations to government. As such we will have to await the outcome of the consultation process and any policy changes government may adopt."

Councillor Mike Ratcliffe asked the following question of Councillor Lewis Rose, OBE, Leader of the Council

"A number of housing development sites in our district that might yield significant affordable homes are being impacted upon by the lack of access to brownfield remediation funds with a consequence that their viability is under threat. Will the Leader of the Council assure us that a positive stance is being pursued in negotiations and discussions to ensure that Derbyshire Dales is not left sidelined and wanting by the apparent breakdown in talks between local authorities and central government over devolution deals?"

Councillor Rose responded as follows:

Throughout the preparation of the Derbyshire Dales Local Plan, the District Council has sought to demonstrate that all the sites included in the plan are capable of being brought forward viably. This included taking into account the costs of remediation, and the provision of much-needed affordable housing and employment on the more complex brownfield sites (some of which are in Cllr Ratcliffe's ward).

The evidence suggests that the lack of funding for the remediation of brownfield sites will not have an impact upon the delivery of these sites, or that of affordable housing in Derbyshire Dales. Where brownfield remediation has an impact upon viability, the Homes and Communities Agency can assist landowners with funding to bring forward sites.

Cllr Ratcliffe can be assured that the District Council will always take a positive approach to negotiations with the relevant landowners and agencies.

Councillor Rose advised that the Minister for Local Government had announced that the Government was now open to combined authorities from single counties.

Supplementary Question:

Cllr Rose had hinted in his response at possible alternative funding sources; therefore, where there was a question of deliverability of Affordable Housing on brownfield sites, would the District Council have dialogue with the developer and push towards these resources?

Cllr Rose replied that, for example, Homelink had funding available for brownfield sites, and that D2N2 had money available, therefore there were existing opportunities.

Councillor Mike Ratcliffe asked the following question of Councillor Lewis Rose, OBE, Leader of the Council

“The Government is set to radically extend welfare benefit reform this autumn with a full roll-out of Universal Credit in Derbyshire Dales in May 2018. There are some 166 claimants in our District at present with a predicted increase of 700 a year by 2022. With claimants having to wait 6 weeks or more for initial payments the threat of financial hardship is severe as is a rise in the number of council tax and housing rent arrears. Will the Council Leader join with me in urging his colleagues in government to delay this roll-out until all problems have been resolved?”

Councillor Rose responded as follows:

The Derbyshire Dales roll-out is scheduled for May 2018.

Neil Couling, the Director General of the Universal Credit Programme wrote to Benefit Managers and Chief Executives on 2nd October to explain that the Universal Credit roll out programme will continue as originally planned. The letter reiterates that District and Borough Councils will have a key role to play in this programme. It also recognises that there have been lessons learned and that the local authority can assist in preparing to help customers once Full Service has arrived.

What we can do as a District Council is to support claimants who are affected. Certainly we should anticipate that some claimants will experience problems. Our role locally will be to work with other agencies to ensure that solutions are found.

- Meetings are underway to ensure that partner agencies are aligned and prepared. Partner agencies working closely together include Arvato, Community Housing, Jobcentre Plus, DCC Welfare Rights to ensure that clear guidance is provided to claimant households, landlords and support agencies
- Specific training will be provided for local Registered Providers (of Housing) on direct or managed payment arrangements to help manage rent arrears where these arise.
- Jobcentre Plus are to provide awareness sessions for a range of groups including members (if this is required) in the early 2018 to ensure that we share a common understanding of all of the challenges.
- Personal budgeting services are being delivered to vulnerable households by the Citizens Advice Bureau to help vulnerable individuals manage better – this will continue under Full Service

- Discretionary Housing Payments are being granted to UC households living locally under current 'live service'. The same will be true when we go Full Service next year. These will cover rental shortfalls after UC Housing Cost element is payable.
- The landlord portal and trusted status for landlords will be available to help landlords manage difficult tenancies.
- Council Tax Support will continue to be paid for UC households. We will also invite applications for discretionary assistance where need is identified.
- Vulnerability is being mapped within the District to identify those most in need of help and support. We are also seeking to identify 'hot spots' where digital/ mobile phone access for making a UC claim is problematic.

The most positive thing I can state is that all partner agencies are showing willingness to work closely for the benefit of local people and our communities.

Cllr Ratcliffe asked the following supplementary question:

There is a near certainty that the Council will feel the impact of the revised benefits scheme. Can we have reassurance that the Council will closely monitor and review all payments made through the hardship fund etc?

Cllr Rose affirmed that the Hardship Fund would be monitored, and kept under review.

Councillor Susan Hobson asked the following question of Councillor Lewis Rose, OBE, Leader of the Council

"I am very interested in making Council meetings more accessible to our residents, and am disappointed that we do not have more members of the public and local media at our meetings. Would Council consider filming all committee meetings and having them available via YouTube? This would keep residents informed of the issues, debates and decisions taking place, in an open and transparent manner."

Councillor Rose responded as follows:

We enjoyed very good attendances on some large scale planning applications and throughout the local plan process and our video coverage helps us to reach out to many more interested parties. But, perhaps the equally important business of our routine meetings doesn't always attract the same level of attention, so I agree with your wish to see more public and local media engagement.

Thanks to our Communications and Marketing Team we are now able to stream live on YouTube and our current policy is to cover all meetings of the Council and to hone in on other meetings depending on the agenda. Recent viewing figures include:

Special Council Leisure Review debate, 1 December 2016 = 473 views

Local Plan debate, 8 December 2016 = 318 views

Annual budget meeting, 2 March 2017 = 128 views

Special Council - Local Plan main modifications, 28 June 2017 = 279 views

When we began recording meetings, we started from a very modest base and chose a system which was a fraction of the cost of our neighbouring authority systems. The drawback is that it is reliant on staff time to direct the filming. We are also not in a position to film at The Venue in Ashbourne due to lack of an Internet connection.

We have two people capable of undertaking this work and we will look to train more people to do the job, but feel that for the moment, we have to cut our cloth accordingly and Council Meetings are our top priority.

I'm sure that over time there will be further scope to widen the possibilities.

156/17 – BUSINESS RATES EVALUATION: TEMPORARY RELIEF SCHEME

Council considered a report on a temporary relief scheme that would support small and medium sized businesses in the Derbyshire Dales adversely affected by the Business Rates revaluation of April 2017 that resulted in lower National Non-Domestic Rate (business rate) bills for some businesses but higher bills for others.

The Government subsequently announced in the Spring Budget that there would be three measures to mitigate the effect of these increases, as outlined in the report. The third of these Government measures was put in place on 22 June 2017, comprising a £300 million temporary fund (allocated between local authorities) to be distributed under locally-designed criteria to the businesses facing the most significant increases, time-limited to four years. The Government's allocation to Derbyshire Dales District Council was set out in the report and an Officer working group convened especially for the purpose had developed a temporary revaluation relief scheme to utilise the funding, necessitating an update of the business rates software (supplied in our case, as with many local authorities, by Capita). This was received on 18 August 2017, and it was expected that this would be installed and rebilling for 2017/18 undertaken by the end of October 2017.

The key considerations in developing this business rates revaluation temporary relief scheme, together with the key criteria and the anticipated outcome were listed in the report.

In developing the business rates revaluation temporary relief scheme, consultation had been carried out with precepting authorities (Derbyshire County Council and Derbyshire Fire and Rescue Service), and the business community had also been consulted via Business Peak District and East Midlands Chamber. The draft scheme had been amended to reflect comments already received, and it was reported at the meeting that no comment had been received from DCC or East Midlands Chamber; no response from the Fire Authority; 3 responses from Business Peak District, all in support of the scheme as proposed.

It was moved by Councillor Chris Furness, seconded by Councillor Jacquie Stevens and

- RESOLVED** (unanimously)
1. The temporary revaluation relief scheme for business rate revaluation as set out in the report be approved;
 2. The Head of Resources be given delegated authority to implement the scheme immediately;
 3. The Head of Resources and the Financial Services Manager be given delegated authority to determine applications under the scheme.

157/17 – BUSINESS RATES DISCRETIONARY RELIEF POLICY OPTIONS

Council considered consultation policy options on discretionary reliefs for National Non-Domestic Rates (business rates) that aimed to assist genuine local charities and to support those businesses delivering additional high-quality jobs in the Derbyshire Dales.

Although the District Council had operated for many years with a partial policy on discretionary rate relief for businesses, it was felt that it was now an appropriate time for a comprehensive policy to be put in place, for reasons set out in the report. It was noted that the policy would not specifically include the temporary Government schemes listed.

It was proposed that draft policy options be approved for consultation during October / November, with a view to bringing a report and revised policy to Members for adoption at a future meeting. Consultees would include precepting authorities (Derbyshire County Council and Derbyshire Fire and Rescue Service), and business rate payers would be consulted directly and via Business Peak District and East Midlands Chamber.

All organisations that were awarded relief would be required to complete a declaration to confirm that they had not received more than the De Minimis amount of State Aid (including the relief requested).

Proposed changes in respect of relief for charities and other not-for-profit organisations were set out in the report, together with the options proposed for consultation; new business premises relief (new proposal); and rate relief to promote business growth (new proposal) with eligibility criteria.

Existing rate relief policies to remain unchanged were set out in the report, with a list of designated rural settlements within the area of Derbyshire Dales District Council attached as Appendix 1 to the report, for information.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Albert Catt, and

RESOLVED The draft business rates discretionary relief policy options set out in
(unanimously) the report be approved for consultation

158/17 – TREASURY MANAGEMENT ANNUAL REPORT 2016/17

Councillor Colin Swindell arrived at 7.26pm during discussion of this item.

The Council considered a report that sought approval for the Treasury Management Annual Report for 2016/17 that provided details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy, all of which were adequately scrutinised by the Corporate Leadership Team before being recommended to the Council.

On 31st March 2017, the Authority had net investments of £7.268m arising from its revenue and capital income and expenditure. The underlying need to borrow for capital purposes was measured by the Capital Financing Requirement (CFR), while usable reserves and working capital were the underlying resources available for investment. These factors and the year-on-year change were summarised in table 1 in the report and the treasury management position as at 31st March 2017 and the year-on-year change was shown in table 2.

At 31st March 2017, the Authority held £5.4m of loans from the Public Works Loan Board, the same as the previous year, as part of its strategy for funding previous years' capital programmes, as explained in the report. It was noted that no new borrowing was undertaken in 2016/17, while existing loans were allowed to mature without replacement. This strategy enabled the Authority to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk.

The Authority also held invested funds, with the year-end investment position shown in table 3 in the report.

The Head of Resources reported that all treasury management activities undertaken during 2016/17 complied fully with the CIPFA Code of Practice and the Authority's approved Treasury Management Strategy. Compliance with specific investment limits was set out in table 4 in the report, and compliance with the authorised limit and operational boundary for external debt was set out in table 5.

It was moved by Councillor Albert Catt, seconded by Councillor Jacquie Stevens and

RESOLVED That the Treasury Management Annual Report for 2016/17 be
(unanimously) approved.

159/17 – VACATION OF OFFICE DISPENSATION – COUNCILLOR IRENE RATCLIFFE

Councillor Martin Burfoot left the meeting at 7.25pm during discussion of this item.

Council were asked to consider granting a dispensation to allow Councillor Irene Ratcliffe to be absent from meetings of the Council for a period exceeding six months, as she was currently indisposed due to recuperation from an illness.

A Councillor who for six months failed to attend any meetings of the Council (or its Committees or Sub-Committees) ceased to be a Member of the Authority unless, within that period, the Council approved his/her absence. A request for such a dispensation had been received from Councillor Irene Ratcliffe.

Councillor Irene Ratcliffe last attended a meeting of the Council on 22 June 2017 and was therefore covered for leave of absence until 21 December 2017; Councillor Ratcliffe had requested a Vacation of Office Dispensation until 21 June 2018.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Peter Slack and

RESOLVED That Councillor Irene Ratcliffe be given dispensation to be absent
(unanimously) from meetings of the Council until 21 June 2018. Members of the Council passed on their best wishes to Councillor Ratcliffe.

160/17 – REFERRED ITEMS

Councillor Joanne Wild left the meeting at 7.26pm during discussion of this item.

Council were asked to consider reports referred from the Governance & Resources Committee meeting held on 14 September 2017 seeking approval for funding for additional Capital Projects related to ICT in 2017/18 and 2018/19 and approval for expenditure of £11,100 from the General Reserve to enable an increase in working hours for the current CCTV Manager.

The relevant minutes of the Governance & Resources Committee were reproduced in full in the report to assist Members' understanding of the issues involved,

RESOLVED That Council be requested to approve expenditure of £11,100 from the
(unanimously) General Reserve to enable an increase in working hours for the
→ current CCTV Manager.

It was moved by Councillor Jacquie Stevens, seconded by Councillor Chris Furness and

RESOLVED 1. That approval be granted for a recommendation from the
(unanimously) Governance & Resources Committee that funding within the
revised Capital Programme be approved for:
a. Virtual Desktop Server replacement – Estimated Capital Cost
£28,000;
b. Microsoft Windows Server license upgrade - Estimated
Capital Cost £12,000;
2. That approval be granted for a recommendation from the
Governance & Resources Committee that funding of £11,100
from the General Reserve be approved to enable an increase in
working hours for the current CCTV Manager.

161/17 – UPGRADE OF FINANCIAL MANAGEMENT SYSTEM

This report had been brought to Council as an urgent item for consideration, as it sought approval for the sum of £21,000 to be included in the Capital Programme for 2017/18 to provide consultancy for the upgrade of the Council's Financial Management System (Agresso Business World), and for the funding relating to the upgrade to be financed from the information technology reserve.

The Council used Agresso Business World as its corporate Financial Management System, as outlined in the report. The support agreement for its current version of Agresso would expire in January 2018, and renewal had been offered but at an increased cost of £8,000 p.a. Upgrading to a newer version would avoid the increase in support costs, post completion. Should the Council decline to upgrade or pay the additional charges, the system would be unsupported.

It was therefore proposed that a system upgrade should take place as soon as possible, with the key milestones as tabled in the report.

As the Council already had a contract for maintenance and support, there was no additional cost for the updated software. However, consultancy would be required to bring in the skills required to carry out the upgrade at an estimated cost of £21,000.

It was moved by Councillor Jacquie Stevens, seconded by Councillor Chris Furness and

RESOLVED That the inclusion of £21,000 in the capital programme for 2017/18
(unanimously) for the Financial Management System Upgrade project, to be funded
from the Information Technology Reserve be approved

162/17 - SEALING OF DOCUMENTS

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly 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.

163/17 – EXCLUSION OF PUBLIC AND PRESS

It was moved by Councillor Andrew Shirley, seconded by Councillor Chris Furness, and

RESOLVED That any members of the public or press be invited to leave the
(unanimously) meeting for the remaining item of business for the reason shown
below:

“These minutes are excluded from the meeting because they result in exempt information being disclosed.”

164/17 – COMMITTEES

It was moved by Councillor Jean Monks, seconded by Councillor Angus Jenkins and

RESOLVED That the Minutes of the Licensing & Appeals Sub-Committee shown
(unanimously) below be approved as a correct record:

Licensing & Appeals Sub Committee – 10 August 2017

Licensing & Appeals Sub Committee – 10 August 2017

Licensing & Appeals Sub Committee – 16 August 2017

MEETING CLOSED 7.39PM

CHAIRMAN