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## **COUNCIL**

**Minutes of the Council Meeting held on Thursday 25 September 2014 in the Council Chamber, Town Hall, Matlock at 6.00 pm.**

### **PRESENT**

Councillor Geoff Stevens, MBE - In the Chair

Councillors Jacque Bevan, Jennifer Bower, Richard Bright, Steve Bull, Sue Burfoot, David Burton, Bob Cartwright, David Chapman, Tom Donnelly, Ann Elliott, David Fearn, Steve Flitter, David Frederickson, Chris Furness, Neil Horton, Cate Hunt, Mike Longden, Tony Millward, Jean Monks, Garry Purdy, Mike Ratcliffe, Lewis Rose, OBE, Peter Slack, Andrew Statham, Jacquie Stevens, Colin Swindell, Philippa Tilbrook, Judith Twigg and Carol Walker.

Dorcas Bunton (Chief Executive), Peter Foley (Corporate Director), Sandra Lamb (Head of Corporate Services), Karen Henrikson (Accountancy and Exchequer Manager), Heidi McDougall (Head of Environmental Services) and Jackie Cullen (Committee Assistant).

1 member of the public.

### **APOLOGIES**

Apologies for absence were received from Councillors Ken Bull, Albert Catt, Richard FitzHerbert, Andrew Lewer, Irene Ratcliffe, Andrew Shirley, Barrie Tipping and Jo Wild.

Councillor Geoff Stevens MBE called for a minute's silence to commemorate the recent death of the Dowager Duchess of Devonshire, and acknowledged her inspiration and contribution to the district as a whole, and in particular for promoting Chatsworth Estate and helping it become the success it is today.

### **OPENING ADDRESS**

Councillor Andrew Statham arrived at 6.03pm during the Opening Address.

Mrs Janet Chambers, a volunteer fundraiser for Derbyshire, Leicestershire and Rutland Air Ambulance, gave an opening address with a brief history of the organisation from its commencement in 2003 to date. Mrs Chambers also advised the Council of the charity's latest acquisition - an Augusta helicopter 2000, leased from Sloane and based at East Midlands Airport. In response to a question from the floor, Mrs Chambers advised the Council that the organisation was entirely reliant upon charitable contributions from the public.

Councillor Geoff Stevens, MBE, thanked Mrs Chambers on behalf of the Council.

### **131/14 – MINUTES**

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Tony Millward and

**RESOLVED** That the minutes of the Council meeting held on 24 July 2014 be  
(unanimously) approved as a correct record.

The Minutes were signed by the Chairman.

### **132/14 –CHAIRMAN’S ANNOUNCEMENTS**

Councillor Carol Walker, Chairman of the District Council of the Derbyshire Dales, reported on her attendance at recent civic engagements. She thanked those Members who had attended her Civic Service in Bakewell on September 14<sup>th</sup>, which had been a memorable day. Councillor Walker also thanked Mr Twigg, who had organised the British Legion Dedication service in Bakewell’s Bath Gardens. A list of Councillor Walker’s engagements was circulated at the meeting.

Councillor Walker drew Members’ attention to forthcoming charity events; in particular the fashion show on 8<sup>th</sup> October; a performance on 10<sup>th</sup> October, produced by Councillor Frederickson; and a supper followed by fireworks at the Heights of Abraham on 11<sup>th</sup> October.

### **133/14 – COMMITTEES**

The Minutes of the Corporate Meeting held on 18 September 2014 were distributed at the meeting, and were included in the Minute Book.

It was moved by Councillor Tom Donnelly, seconded by Councillor Jacquie Stevens and

**RESOLVED** That the reports of the Committees listed in the Minute Book for the  
(unanimously) period 24 July 2014 to 18 September 2014 be received.

### **134/14 – QUESTIONS (RULE OF PROCEDURE 15)**

**Councillor Peter Slack asked the following question of Councillor Lewis Rose OBE, Leader of the Council:**

*“In regard to the Under spend of £753 624 which I believe came from Increased Income from Business Rates, Increased Planning Application Fees, Saving on Employee Cost and Saving on Waste Management.*

*Which is going in to reserve?*

*£50,000 gong in to Technology Renewals Reserves,*

*£ 150,000 in to Property repairs Reserves,*

*£300,000 in to Economic Development*

*£250,000 Car Park Machine Replacement Reserve*

*£3,624 into General Reserve*

*My Question is in 1.6 of the report it stated that approximately £600,000 of the under spend will continue in future years.*

*Will this under spend in future years be used to Support Services that are under threat of being cut.”*

### **Response from Councillor Rose**

Councillor Rose advised Councillor Slack that at the current time, the Council had not identified any services that were under threat of being cut.

### **Councillor Mrs Judith Twigg asked the following question of Councillor Geoff Stevens, MBE:**

*“Having attended the Civic Chairman’s recent Civic Service, I was disappointed at the lack of support by District Councillors and would like to know if the Council is prepared to do more to promote civic pride and boost the numbers in future?”*

### **Response from Councillor Geoff Stevens**

Councillor Stevens replied that all Members had a choice as to which Civic engagements to attend, and that it was sometimes difficult to attend as many as they would like.

### **135/14 – PUBLIC SPACE PROTECTION ORDERS (PREVIOUSLY DOG CONTROL ORDERS)**

The Council considered a report that sought approval for implementation of Public Space Protection Orders (previously Dog Control Orders) subject to the necessary consultation being undertaken.

Following a review of the Street Cleansing and Grounds Maintenance Service, a number of recommendations were agreed, including the commencement of a programme of education, engagement and enforcement, to ensure that the street scene was protected from littering and dog fouling so that the public’s experience improved and the costs of maintenance were minimised.

The report outlined how this recommendation was being progressed and proposed that Public Space Protection Orders (previously Dog Control Orders) be implemented to deal with dog related issues.

Discussions had taken place between officers to agree the process and timescales to be followed. Preliminary consultation had also taken place with Parish and Town Councils to identify areas of land that they wanted to include in the orders enabling enforcement action to be undertaken in these areas.

It was recommended that the District Council carry out the consultation process and that a further report be presented to the Environment Committee in December 2014 to consider the outcome from consultation with a view to creating Public Space Protection orders for the following four offences within designated areas:

- Permitting a dog to enter land from which dogs are excluded;
- Failing to remove dog faeces from public land;
- Not keeping a dog on a lead;
- Not putting, and keeping a dog on a lead when directed to do so;

Details of the consultation policy were set out in the report. All Parish and Town Councils were consulted and 30 responses had been received detailing land that they wished to include. These sites were listed in appendix 1 to the report. The Head of Environmental Services advised the Council that Rowsley Parish Council had added 2 sites.

In addition, a number of council owned sites had been identified, and proposals detailed in respect of orders being made to exclude dogs from specific sites or require them to be on a lead. These proposals were detailed in appendix 2 to the report.

Prior to the implementation of the orders or issuing of the first penalty notices the District Council would deliver an educational and promotional campaign. It was recommended that further details of planned activity along with the policies and procedures be provided in a report to the Environment Committee in December 2014.

It was moved by Councillor Steve Bull, seconded by Councillor Jennifer Bower and

**RESOLVED**  
(unanimously)

1. That the intention to apply for Public Space Protection Orders to deal with four of the dog related matters is noted.
2. That the necessary consultation is undertaken in respect of the proposed Public Space Protection Orders.
3. That the Public Space Protection Order be discharged to the Environment Committee for any future consideration.
4. That a further report is made to the Environment Committee in December 2014 to consider the outcome from the consultation and to seek final agreement on the policy and procedures.

**135/14 – MID-YEAR TREASURY MANAGEMENT STATEMENT 2014/15 AND UPDATE TO POLICY**

The Council considered a report that addressed the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management in that a monitoring report was required each mid-year. The report also sought approval to update the Treasury Management Policy in relation to the approved list of organisations to whom the Council may lend surplus funds.

The report updated the previously approved indicators, taking into account changes to the Council's proposed spending plans, availability of resources and any amendments to the borrowing or investment strategy. It ensured elected members had an opportunity to renew the key treasury management activities undertaken during the current financial year in accordance with current financial stewardship requirements.

The prudential indicators set the framework for controlling the Council's capital investment plans ensuring they are prudent, affordable and sustainable, and details of these were set out in the report.

In order to manage its Treasury Management in a more efficient way the Council had recently appointed CAPITA as its external advisors. CAPITA maintained a robust risk analysis of the organisations to whom the Council could lend surplus funds. CAPITA had undertaken a review

of the Council's current list and recommended additions to the approved list, subject to a limit of £5m:

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Jacquie Stevens and

- RESOLVED**
1. That the mid-year Treasury Management Statement for 2014/15 be noted and approved.
  2. That the Council's Treasury Management Policy be updated to add the following to the approved list of organisations to whom the Council may lend surplus funds, subject to a limit of £5m:

Svenska Handelsbanken AB  
Goldman Sachs  
Deutsche Bank  
Santander

**Voting:**

<b>For</b>	24
<b>Against</b>	5
<b>Abstentions</b>	1

**136/14 – LOCAL GOVERNMENT FINANCE SETTLEMENT 2015/16, BUSINESS RATES POOLING AND THE SUSTAINABLE FINANCIAL PLAN**

The Council considered a report that advised Members about two Government papers and provided an update to the District Council's sustainable financial plan.

Copy correspondence received after publication of the agenda was circulated at the meeting. This was a copy of the response of the Chief Executive to the Technical Consultation Paper 'Local Government Finance Settlement 2015/16' and had been approved by the Leader and Deputy Leader in order to meet the deadline of 5pm on the evening of the meeting.

The Medium-Term Financial Plan was last considered by Council at the budget meeting on 6<sup>th</sup> March 2014. At that stage, the plan included indicative Government grant for 2014/15 and 2015/16, as shown in the Local Government Finance Settlement (which included a 10% reduction for 2015/16), and assumed a further 10% reduction each year from 2016/17 to 2019/20. The resulting savings requirement was £1.9 million over the next five years.

On 25<sup>th</sup> July 2013, the Government published a technical consultation paper "Local Government Finance Settlement 2014/15 and 2015/16". The paper confirmed that the total amount received by local government for 2015/16 would reduce by 10%, and showed how this would affect local authority allocations. This was built into the Council's Sustainable Financial Plan.

Responses to the consultation paper were required by 25<sup>th</sup> September 2014. The District Council's response, which was prepared in consultation with the Council Leader and Deputy Leader in time to meet the deadline, was given in Appendix 1 to the report.

**BUSINESS RATES RETENTION POOLING PROSPECTUS 2015/16**

As part of the rates retention scheme, authorities were able to come together, on a voluntary basis, to pool their business rates, giving them scope to generate additional growth through collaborative effort and to smooth the impact of volatility in rates income across a wider

economic area. The pros and cons regarding pooling were outlined in the report, and deadlines for proposals noted as 31st October 2014. DCLG would work with interested local authorities to support the development of the pool. Final proposals would need to be signed off by the s.151 officers of each authority in the pool. DCLG would then consider all applications for designation received by 31 October 2014.

With the exception of Derby City Council, all Derbyshire councils (districts and county) had jointly engaged a consultant to give advice on pooling. At the time of writing this report, that advice had not yet been received. Derbyshire Finance Officers were planning to meet the consultant on 30th September, when it was expected that various scenarios would be modelled for consideration. An illustration of the possible impact of pooling was shown in Appendix 2 to the report.

A decision on whether to pool must be made during October. As there were no meetings of Corporate Committee or Council during October, this report requested that authority be delegated to the Head of Resources to determine (after consultation with the Council Leader and Deputy Leader) whether Derbyshire Dales District Council should pool its business rates with other Derbyshire Authorities.

## **MEDIUM TERM FINANCIAL PLAN**

The updated medium term financial plan was given in Appendix 3 to the report.

The strategic approach to achieving savings, as approved by Council on 27<sup>th</sup> October 2011 was set out in the report. Officers planned to engage further with communities to explore new ways of delivering services that communities need, as opposed to what they want.

The service review programme was crucial to the District Council achieving future savings. In the past, any additional resources that were required to undertake and implement reviews were provided from the General Reserve. The Invest to Save Reserve was established in 2013/14 as an earmarked reserve to be used for that purpose and the report detailed the amounts approved so far by the Chief Executive, the amounts now recommended for approval by Council and, assuming that the recommendation is approved, the uncommitted balance on the reserve.

In order to deal promptly with requests for funding from the Invest to Save Reserve, the Council was asked to delegate authority for amounts up to £25,000 for an individual scheme to joint approval by the Chief Executive and the Head of Resources.

The District Council's Band D Council Tax had been frozen at £189.66 since 2010/11, assisted by Government Council Tax Freeze Grants of 2.5% for 2011/12 and 2012/13, and 1% for 2013/14 and 2014/15. It was likely that Freeze Grant of 1% would also be offered for 2015/16; however some alternative scenarios for council tax were illustrated in Appendix 4 to the report.

Appendix 5 to the report gave a breakdown of the District Council's budgeted expenditure per head of population, compared with the average of similar authorities and with the average of other Derbyshire District Councils. This gave an indication of where expenditure was higher at Derbyshire Dales District Council than at other authorities and could highlight areas that should be subject to review.

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

**RESOLVED**  
(unanimously)

1. That the Consultation Paper “Local Government Finance Settlement 2015/16” and the Council’s response be noted.
2. That the “Business Rates Retention Pooling Prospectus 2015/16” be noted and authority be delegated to the Head of Resources to determine (after consultation with the Council Leader and Deputy Leader, and Leaders of the Opposition) whether Derbyshire Dales District Council should pool its business rates with other Derbyshire Authorities.
3. That the updated Medium Term Financial Plan be noted.
4. That approval be given to the following transfers from the Invest to Save Reserve:  
  
Consultancy for development management review £16,000  
Consultancy for county-wide building control service £12,000
5. That authority be delegated to the Chief Executive and the Head of Resources to jointly approve funding from the Invest to Save Reserve up to £25,000 for an individual scheme.
6. That the Council considers its strategy in respect of potential future increases in Council Tax.
7. That areas of significantly above average expenditure are noted.

**137/14 – REVIEW OF POLLING DISTRICTS, PLACES AND STATIONS 2014**

The Council considered a report that informed Members of the progress of the review, comments received in response to initial consultation on the Council’s current polling scheme and the comments of the Returning Officer, which would be the subject of a further period of consultation. The purpose of the review was set out in the report.

Changes effected by the Electoral Registration and Administration Act 2013 were set out in the report, together with an explanation of terms.

The Council published a notice (Appendix 1 to the report) on 30 June 2014, announcing the Review and inviting comments and submissions in writing, from interested parties, by 15 August 2014. A schedule of the representations received during the consultation period was attached at Appendix 2 to the report.

The comments of the Acting Returning Officer were attached at Appendix 5 to the report. The comments also took account of the cost per elector ratio for the polling stations scheduled for commission in the 2015 elections, set out in Appendix 3 to the report.

The recent inspection of the polling station at Curbar Wesleyan reform Church had revealed access and privacy issues such that an alternative venue, Calver Village Hall, was proposed.

The Acting Returning Officer had also reviewed the comments received during the first period of consultation and any responses she had made to these were noted on the schedule at appendix 4 to the report.

The comments of the Acting Returning Officer would be published on the Council's website and would be added to the files held at the Council's Offices on 30 September 2014. All consultees had been advised of this and provided with an additional form for any observations they wished to make in response to the comments of the Acting Returning Officer. The deadline for these comments was 7 November 2014. Following consideration of all representations a final report to Council on 20 November 2014 would include recommendations for any changes to the Polling Scheme that arose from the findings of the Review; approved changes would be incorporated into the Register of Electors to be published on 1 December 2014. A final report on the review and copies of all representations received would be published as the conclusion of the review.

It was moved by Councillor Jennifer Bower, seconded by Councillor Chris Furness and

**RESOLVED**  
(unanimously)

1. That the report be noted.
2. That the Returning Officer's comments be the subject of a further period of consultation.
3. That final proposals for the amendment of the Council's Polling Scheme be reported to Council on 20 November 2014.

### **138/14 – APPOINTMENT TO OUTSIDE BODIES**

The Council considered a report that invited Members to nominate two representatives to serve on the newly formed Matlock Community Vision.

An invitation had been received from the Secretary of Matlock Community Vision (MCV), for the Council to nominate two Councillors, ideally from the All Saints Ward, to serve on the newly formed group. The aim of the group was to "provide community leadership to co-ordinate, synthesize and take forward ideas for the redevelopment of the Bakewell Road Site, Matlock in partnership with DDDC".

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor David Fearn and

**RESOLVED**  
(unanimously)

That Councillor Geoff Stevens, MBE, and Councillor Sue Burfoot be appointed as Ward Members to attend meetings of Matlock Community Vision.

### **139/14 – SEALING OF DOCUMENTS**

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Carol Walker and

**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.

### **140/14 – EXCLUSION OF PUBLIC AND PRESS**

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Lewis Rose, OBE, 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:

#### **141/14 – CONTRACT FOR THE COUNCIL'S TRANSACTIONAL BANKING SERVICES**

Councillor Judith Twigg left at 7.40pm prior to commencement of this item.

The Council considered a report that described the procurement exercise that had been undertaken and recommended an award of contract for the Council's transactional banking services.

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

**RESOLVED** That Lloyds Bank PLC be awarded the contract for transactional  
(unanimously) banking services based on their tender for an initial period of seven  
years from 1<sup>st</sup> April 2015, with the option to renew on a 1+ 1+ 1 year  
basis.

**MEETING CLOSED 7.42PM**

**CHAIRMAN**