



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

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

COUNCIL

Minutes of a Council Meeting held on Thursday 30 November 2017 in the Council Chamber, Town Hall, Matlock at 6.00 pm.

PRESENT

Councillor Richard FitzHerbert - In the Chair

Councillors Jason Atkin, Deborah Botham, Richard Bright, Sue Bull, Martin Burfoot, Sue Burfoot, Albert Catt, David Chapman, Tom Donnelly, Ann Elliott, Graham Elliott, Steve Flitter, Chris Furness, Alyson Hill, Susan Hobson, Neil Horton, Angus Jenkins, Jean Monks, Tony Morley, Dermot Murphy, Joyce Pawley, Garry Purdy, Mike Ratcliffe, Lewis Rose, OBE, Andrew Shirley, Peter Slack, Andrew Statham, 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), Rob Cogings (Head of Housing) and Annette Reading (Democratic & Electoral Services Assistant).

APOLOGIES

Apologies for absence were received from Councillors Helen Froggatt, Vicky Massey-Bloodworth, Tony Millward BEM, Irene Ratcliffe and Mark Salt.

220/17 – MINUTES

It was moved by Councillor Mike Ratcliffe seconded by Councillor Tom Donnelly and

RESOLVED That the Minutes of the meeting of the Derbyshire Dales District Council held on 12 October 2017 be approved as a correct record.
(unanimously)

The minutes were signed by the Chairman.

221/17 - CHAIRMAN'S ANNOUNCEMENTS

A list of engagements carried out between Friday 13 October and Thursday 30 November 2017 was distributed at the meeting. The Chairman of the District of Derbyshire Dales informed Members he had been working with Chesterfield Football Club Community Trust and Bluebell Wood to raise money for the Air Ambulance and a Charity Ball had been

arranged at the Pro-Act Stadium, Chesterfield on Friday 2 February 2018 and Members were invited to contact him if they wished to purchase tickets.

The Chairman of the District of Derbyshire Dales also advised he intended to present Chairman's Awards to local people in the New Year and asked Councillors to put forward nominees in their respective Wards. His intention is to present awards to nominees at one of their own local events.

222/17 – COMMITTEES

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

RESOLVED That the non-exempt minutes of the Committees listed in the Minute
(unanimously) Book for the period 10 October 2017 to 21 November 2017 be received.

223/17 – QUESTIONS (RULE OF PROCEDURE 15)

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

"On future council agendas when considering recommendations for the Capital Programme will Cllr Rose agree to debating items on an individual basis rather than 'en bloc'?"

Councillor Rose responded as follows:

I believe that facility already exists as it is up to us to determine the direction of debate. Our Officers prepare comprehensive reports to us on wide ranging issues, some of which are politically sensitive and require us to make difficult decisions. We are *guided* by their recommendations. Our current rules of debate allow us to ask unlimited questions at any time and we can propose something different to the Officer's Recommendation, within reason. When a matter has been proposed and seconded however, the debate must focus on that proposition so that we can reach a decision on which the majority agree.

So in short, what we debate is up to us as Members, working within the rules to ensure we have some structure.

Supplementary Question:

Councillor Rose knows what I am referring to. It seems a decision was made under some pressure due to the nature of the recommendation. Would he agree, in the absence of a scrutiny committee, that incumbent members should question the use of tax payers' money and that items deserving debate and vote are not wrapped in other issues where members are constrained against voting.

Councillor Rose replied:

The authority had to make a decision, I have to agree to disagree on this interpretation.

Councillor Martin Burfoot asked the following question of Councillor Lewis Rose, OBE, Leader of the Council

'Is Cllr Rose aware of concerns and criticism from local Blue Badge holders about the car park charges introduced earlier this year?'

Disabled drivers and their families have reported to me their concern that the designated parking spaces tend to be too remote from and therefore difficult to access the pay and display machines, and that there is no facility for a short stay, which is what they often need, in order to visit banks or pharmacies etc.”

Councillor Rose responded as follows:

Any scheme involving the introduction of charges will always be opposed by some within the community. When we engaged with Blue Badge holders as part of the 2013 Car Parking Review, it was clear that issues surrounding the provision of reserved Blue Badge spaces related more to convenient location and access rather than a motorists' ability to pay.

The main concerns and criticism, since the introduction of the charges, has been that visiting motorists are unaware of the changes, having not had to pay on previous trips. However, the Council has sought to address such concerns by introducing appropriate signage to alert motorists on arrival at a car park and through the tariff boards.

The Council has made significant investment in recent years, working with the Derbyshire Coalition for Inclusive Living, and has brought about significant improvements in accessibility for disabled motorists such that many of our car parks would now merit accreditation in the National Award Scheme, developed by Disabled Motoring UK. Naturally, there are some sites where further improvement and investment could take place and we are keen to ensure that work continues to bring all of our facilities, as far as is reasonably practicable, to a very high standard. The former Lido site in Matlock is one such car park, and officers are currently looking into the feasibility of introducing a second, solar powered ticket machine in close proximity to the reserved spaces which are, according to DCIL's audit, in the most appropriate location, near to the access on to Imperial Road.

The Blue Badge scheme, in essence, caters for convenient short stay parking by allowing motorists to park on the public highway on double yellow lines, providing that it is safe to do so. Where that isn't possible, our resident Blue Badge holders have the opportunity to use the reserved spaces in our off-street facilities without charge before 11am and after 4pm each day. At other times, we give an additional hour, beyond the paid for parking time, in order that disabled motorists or passengers may conduct their business without the need to hurry back to the car.

Does Cllr Rose appreciate that the Council's charging policy has also provoked an increase in on-street parking, in restricted locations, and as a result more congestion on our streets?'

The 2013 Car Parking Review acknowledged that any change in a charging policy may prompt some to seek free (or lower cost) parking alternatives. In the case of Blue Badge holder migration, we have consulted with both the Traffic Safety team at DCC and the Police's Traffic Division. Neither are aware of any specific problems arising from the use of Blue Badges on the highway since the introduction of our charging policy earlier in the year, nor have there been reports of more congestion. If, however, a Ward Member has been alerted to localised issues involving highway safety, then such matters should be referred to the police to monitor and action appropriately.

Supplementary Question:

Would it be possible to move the disabled spaces closer to the pay machines and try and help rather than hinder. Could we consider letting people park for the first 30 minutes to an hour free?

Councillor Rose responded as follows:

Residents can use the car parks free up to 11am but we are open to look at any improvements.

224/17 – OUTCOME OF THE ASHBOURNE SOUTH BY-ELECTION AND APPOINTMENT OF NEW MEMBER TO COMMITTEE PLACES

Council considered a report giving details of the outcome of the Ashbourne South By-Election held on 26 October 2017 and sought approval of the appointment of Councillor Dermot Murphy to act as Substitute Member to the places on committees vacated by the recent resignation of Councillor Phil Chell, Ward Member for Ashbourne South.

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

RESOLVED That the appointment of Councillor Dermot Murphy to the following
(unanimously) vacant committee places be approved until the next Annual Meeting of Council:

- Community & Environment Committee (Substitute)
- Governance & Resources Committee (Substitute)
- Local Plan Advisory Committee (Substitute)
- Planning Committee (Substitute)

The Chairman welcomed Councillor Murphy as a member of the Council.

225/17 – CORPORATE PLAN – PERFORMANCE MID-YEAR 2017/18 AND TARGETS 2017/18

The Council considered a report that summarised performance against the District Council's thirteen Corporate Plan targets for the mid-year point of 2017/18 (Q2). The report demonstrated where performance was strong and where improvements were to be made. Revised Corporate Plan targets were also proposed for the forthcoming year 2018/19.

The Corporate Plan 2015-2019 (adopted by Council in November 2015) set out the District Council's priorities and areas for improvement and it identified the three priority target areas set by Members, in order, as follows:

- 1 - Business growth and job creation (helping new businesses to start; helping existing businesses to grow; and promoting key development sites in and around towns)
- 2 - Affordable housing (identifying and delivering new affordable housing sites; and improving housing opportunities for vulnerable people)
- 3 - Market towns (reviving stall markets; and seeking public realm improvements)

A summary of mid-year performance for the financial year 2017/18 for the thirteen Corporate Plan targets was tabled in the report, showing that the current end of Q2 figures indicate that 8 out of 13 targets for which data was available were on track to be achieved during 2017/18. A further 3 out of 12 were at risk of not being achieved this financial year. One target was unlikely to be achieved.

The Head of Regeneration and Policy gave an update on performance measures. Since writing the report, "Businesses supported to access grants or loans from Government and LEPs" had increased from 0 to 7 due in part to the work of the successful Derbyshire Dales

Business Advice service which over the last 18 months had helped 30 local businesses bringing in £1M in grant funding schemes. In Priority 3 - work on the railings at St Mary’s Church was now under way.

The Corporate Plan target areas had been reviewed for 2018/19 and the proposed wording was set out in the report. Service Plans were currently being drafted for 2018/19, to include specific target figures for all the indicators, and would be brought to Council for approval on 5 March 2018.

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

- RESOLVED** (unanimously)
1. That mid-year performance against the Corporate Plan targets for 2017/18 is noted.
 2. That the revised corporate plan target areas for 2018/19 are agreed.

226/17 – ORGANISATIONAL HEALTH – KEY PERFORMANCE INDICATORS – MID YEAR 2017/18

The Council considered a report that summarised half-year performance against the District Council’s 12 organisational health performance indicators for 2017/18, highlighting where the organisation is performing strongly and where improvements were to be made.

In 2017/18, there were 12 organisational health performance indicators measuring the District Council’s day-to-day performance and these were reported to Members at Council meetings twice a year. The purpose was to highlight progress, demonstrate good performance where it occurs, and address areas for improvement that emerge during the year.

A summary of organisational health performance to the mid-year point of 2017/18, (end of quarter 2) was tabled in the report, as follows:

Service Area	No. Targets	Green	Amber	Red	Not available
Corporate (Council overall)	3	2	1		
Housing	1				1
Planning	4	3	1		
Revenues and Benefits	4	3	1		
TOTAL	12	8	3	0	1

The figures indicated that 67% of the 12 targets for which data was available were on track to be achieved during 2017/18 (8 out of 12). The detailed position for each of the key performance indicators at the end of quarter 2 in 2017/18 was set out in Appendix 1 to the report. At this mid-year point, over half (eight) of the Key Performance Indicators were on track to be achieved through 2017/18 and the achievement of three was somewhat uncertain.

It was moved by Councillor Lewis Rose, seconded by Councillor Tony Morley and

- RESOLVED** (unanimously)
1. That mid-year performance against the Key Performance Indicators for 2017/18 is noted.
 2. That the Actions set out in section 4.4 of the report are noted.

227/17 – RESIDENTS ONLINE PANEL SURVEY RESULTS

Council considered a report on the outcome of a Derbyshire Dales residents' survey undertaken in September/October 2017, using the online panel. The report presented the results of the survey and the implications for the District Council's service and financial planning.

The Derbyshire Dales Residents Online Panel was introduced in Autumn 2016 and comprised more than 700 residents who had opted to receive periodic surveys from the District Council by email. The Online Panel is a self-selecting sample so is not fully representative of the District's population as a whole. It provides only a snapshot in time of the views of a limited (albeit large) number of residents and the Online Panel alone does not constitute comprehensive consultation.

The Online Panel Survey was sent to 724 residents in September 2017; 321 people (31%) responded by the closing date in October. The survey comprised questions previously prescribed by the Department for Communities and Local Government in the former Place Survey plus additional questions about the local area. The survey included both 'satisfaction' and 'quality of life' questions, with a particular focus on residents' perceptions of their local area and their satisfaction with services provided by the District Council.

An analysis of findings and actions was set out in the report and it was noted that there had been an increase in the satisfaction rating for five of the six services identified. This is a significant outcome, particularly in light of the current financial regime within which the District Council is currently operating. The District Council as a whole appears satisfactory and providing good value for money to those residents responding, with both parks and waste/recycling scoring particularly strongly. However, while satisfaction rates for some District Council services, particularly public conveniences and markets, are improving there remains a need to monitor performance in these and other areas.

It was moved by Councillor Chris Furness, seconded by Councillor Angus Jenkins and

RESOLVED That the areas of satisfaction and dissatisfaction highlighted by the
(unanimously) Online Panel Survey be noted.

228/17 – PLANNING FOR THE FUTURE AND MEDIUM TERM FINANCIAL STRATEGY FOR 2018/19 TO 2021/22

Council considered a report on the programme of work to be carried out over the next 12–18 months in order to respond to the continuing financial pressures facing the Council and to prepare for future challenges. Members had attended a workshop immediately prior to the meeting to discuss the Council's future direction and review the Corporate Plan and priorities.

The work programme presented in the Planning for the Future report detailed the reviews required to deliver the Efficiency Plan plus other significant issues that impacted on the future of the District (eg the Local Plan) and future service delivery (eg the Waste Contract). An update on the work programme at Appendix 1 to the report indicated that good progress was being made and that work undertaken so far, and work that is still to be done, should move the Council in the right direction for securing financial sustainability for the future.

The report also sought approval of the Medium Term Financial Strategy (MTFS) for 2018/19 to 2021/22. The strategy set out the Council's strategic approach to the management of its finances and provided a framework within which decisions could be made regarding future service provision and council tax levels.

The Council has a statutory duty to set a balanced budget. The Medium Term Financial Strategy (MTFS) shown in Appendix 2 to the report provided a forecast of the Council's financial position over the coming years. The MTFS normally covers the next five financial years however the MTFS shown in Appendix 2 covered only four years as forecasting beyond 2021/22 was becoming increasingly difficult given uncertainties related to funding levels, especially Government grants and retained business rates. Further information on these issues was expected over the coming months and an updated Medium Term Financial Plan would be presented to Council In March 2018.

Members thanked the Chief Executive and Officers for arranging a much needed and very useful Workshop.

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

RESOLVED
(unanimously)

1. That the report be noted.
2. That reports for would be presented to the relevant Committees on the individual pieces of work covered in the report.
3. That the Medium Term Financial Strategy (MTFS) for 2018/19 to 2021/22, attached as Appendix 2 to the report, be approved.
4. That when setting budgets for 2018/19 and beyond, spending should be focused on the Council's corporate priorities, wherever possible.
5. That the approach set out in the MTFS and Efficiency Plan for achieving the savings required to set balanced budgets be approved.

229/17 – CAPITAL PROGRAMME 2017/18 TO 2021/22

Members considered a report that determined the revised Capital Programme and financing arrangements for 2017/18 to 2021/22; and outlined potential future liabilities not included in the Capital Programme.

The Council approved the initial Capital Programme for 2017/18 at the Council meeting on the 2nd March 2017, with updates in June and September. The revised programme for 2017/18, together with changes for financial years 2018/19 to 2021/22 set out in the report, included changes to the current capital programme and bids for new schemes. The Corporate Leadership Team had prioritised the new bids, as tabled in the report, and the revised capital programme included bids for new capital projects totalling £306,500.

The revised capital expenditures for 2017/18 and 2018/19 had been updated to reflect slippage and the new bids that had recently been approved by policy committees, as detailed in the report. The major items where expenditure was £250,000 or more were listed in the report.

The recommended programmes for 2017/18 to 2021/22 were summarised in the report and shown in detail in Appendix 1.

The overall financing package that was proposed for the revised capital programme 2017/18 to 2021/22 was tabled in the report

The impact of the above proposals on the Council's Reserves and Balances was shown in table 1.6.1 of the report. Furthermore, the Corporate Leadership Team had identified a number of potential future capital liabilities that would be required in the next 1-2 years but were not included in the revised capital programme. These were set out in Appendix 2 to the report and totalled £587,500. These projects, together with the traveller site and works to rock faces, were *potential* liabilities at this time and had not yet been approved by members; they would be the subject of reports to policy committees and / or Council at the appropriate time.

It was noted the report should be read in conjunction with the Draft Medium Term Financial Strategy and Capital Strategy at Item 13 on the Agenda for this Council meeting. The Capital Strategy sets out the strategic approach to the management of the Council's capital programme and provides a framework with which decisions can be made regarding capital investment and financing. It includes a description of the sources of funding available to the Council.

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

- RESOLVED**
1. That the revised Capital Programme and financing arrangements for 2017/18, as detailed in Appendix 1 of the report, in the sum £3,744,072 be approved;
 2. That the revised Capital Programme and financing arrangements for 2018/19, as detailed in Appendix 1 of the report, in the sum of £3,213,751 be approved.
 3. That the Capital Programmes for 2019/20 to 2021/22, as detailed in Appendix 1 of the report, for the sum of £2,836,189 be approved.
 4. That the potential future liabilities outlined in Appendix 2 of the report be noted.

Voting:
For: 28
Against: 0
Abstentions: 5

230/17 – TREASURY MANAGEMENT MID YEAR REPORT

Council considered a report detailing the Treasury Management 2017/18 mid-year performance and compliance with established prudential indicators and explained how forthcoming regulatory changes to the banking industry might affect the Council.

The Council is required to receive and approve, as a minimum, three main reports each year, which incorporate a variety of policies, estimates and actuals. The Treasury Strategy report covers how investments and borrowings are to be organised and managed. A mid-year treasury management report (this report) updates Council on the progress of the capital position, amending prudential indicators as necessary, and whether any policies

require revision. And finally, the annual treasury report provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy. All the reports are adequately scrutinised by the Corporate Leadership Team before being recommended to the Council.

This report detailed how changes in the economic background such as an increase in bank rates, a fall in unemployment rate and the General election, have caused political uncertainty, denting business sentiment and investment.

Council were advised that from 3rd January 2018, as a result of the second Markets in Financial Instruments Directive (MiFID II), local authorities that have investment balances below £10 million would be treated as retail clients who can “opt up” to be professional clients, providing that they meet certain criteria. Due to the nature of the District Council’s cash flows it was likely that it would fall below the required £10 million limit at certain points in the year. Officers were currently working with Arlingclose to discuss the impact that this may cause the Council. At the time of writing the report it was uncertain if the Council would be eligible to opt up to professional status.

Details of the Council’s borrowing and investment strategy and debt activity were outlined in the report.

It was moved by Councillor Albert Catt, seconded by Councillor Chris Furness and

RESOLVED
(unanimously)

1. That the mid-year summary be approved.
2. That the Regulatory changes to the Banking Industry – MiFID II are noted.

231/17 – BUSINESS RATE RETENTION PILOTS

The Council considered a report on the Government’s invitation to local authorities to pilot 100% Business Rates Retention in 2018/19, and the Council’s response.

Under the Business Rates Retention Scheme, local authorities are able to come together, on a voluntary basis, to pool their business rates, giving them scope to generate additional business rates growth through collaborative effort and to smooth the impact of volatility in rates income across a wider economic area. Council had been working with the Derbyshire Business Rates Pool since April 2015 and additional income to the Council of £179,110 in 2015/16 and £111,243 in 2016/17 had been generated.

The Government invited proposals from groups of authorities interested in taking part in the pilot. Pooled areas were invited to propose a split for sharing additional growth. The Government wanted to see additional growth being used to promote the financial stability and sustainability of the pooled area. In addition, they would expect some retained income from growth to be invested to encourage further growth across the area. Because they were not included in the 2017/18 pilot scheme, the Government was particularly interested in piloting in two-tier areas.

The Government had agreed ‘no detriment’ clause for the 2018/19 pilots, guaranteeing that the selected areas will not be worse off as a result of participating in the pilot.

All authorities in Derbyshire agreed to take part in the proposals to form a business rates pool as a pilot area. Given the technical and complex nature of submitting a proposal in a short timeframe, the local authorities in the pool sought specialist support to draft the

business case with costs shared between the pool members, the Council's share being met from the General Reserve. A business case was produced which included the following:

- **Membership details** – including an explanation of relevance to the economic geography of the area, that each member fully supports the application and confirmation of the lead authority (Derby City Council, who lead the current business rates pool);
- **Governance arrangements** – details of how the additional business rates income would be utilised, how risk is managed, proposals for sharing additional growth and how the pool will work together in the longer term;
- **Additional supporting evidence** – benefits to the area of participation in the pilot and proposals for the tier-split;
- **Membership** – the identity of all local authorities in the pool;
- **Benefits** – details of how participation in the pilot scheme will benefit the area, particularly in terms of economic growth.

The deadline for proposals to be submitted to the Government was 27 October 2017; successful pilots would be announced in December 2017 and launched in April 2018. As there were no meetings of Council or Governance and Resources Committee within the timescales, it was necessary to seek an urgent decision to join the pilot from the Chair of the Governance and Resources Committee. As the Government had agreed a “no detriment” clause Councillor Stevens gave her approval and the bid was submitted on 27 October 2017.

It was moved by Councillor Jacquie Stevens, seconded by Councillor Tony Morley and

RESOLVED That the report be noted
(unanimously)

232/17 – PARLIAMENTARY CONSTITUENCY REVIEW – REVISED PROPOSAL NOW SUBJECT TO CONSULTATION

Council considered a report outlining the Boundary Commission for England's revised proposals to review Parliamentary Constituencies ahead of the next fixed term UK Parliamentary Election based on the Parliamentary Voting System and Constituencies Act 2011.

The current Derbyshire Dales Parliamentary Constituency comprises the whole of the Derbyshire Dales District plus Wards within Amber Valley Borough Council's area of Alport, Crich and the South West Parishes. The 2011 Act required there to be a fixed number of 600 constituencies for the whole of the UK. A total of 44 had been allocated to the East Midlands region with each constituency to have an electorate within the statutory range of 71,031 minimum to 78,507 maximum. The electorate of the Derbyshire Dales Constituency as at 1 December 2015 (which is the baseline for the review) is 60,909.

The Boundary Commission for England had published its Revised Proposals for new constituency boundaries. The proposals and maps for the nine English regions have been published on the Commission's website, at www.bce2018.org.uk. The revised proposals retained all of the current wards within the Derbyshire Dales County Constituency, with

additions coming from Amber Valley. The Ward descriptions were set out in Section 2.2 of the report.

An eight-week public consultation period would run until 11 December 2017. The Review would conclude with a formal report to Government in September 2018 recommending any changes that the Boundary Commission believes are appropriate to the distribution, size, shape, name or designation of constituencies in England. This review is therefore referred to as ‘the 2018 Review’. The recommendations will form the basis of a Bill that, if passed, will come into force for the next General Election after approval.

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

RESOLVED That the report be noted
(unanimously)

233/17 - SEALING OF DOCUMENTS

It was moved by Councillor Dermot Murphy, 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.

234/17 – EXCLUSION OF PUBLIC AND PRESS

It was moved by Councillor Jo Wild, seconded by Councillor Albert Catt, 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.”

235/17 – COMMITTEES

It was moved by Councillor Jean Monks, seconded by Councillor Tom Donnelly and

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

Licensing & Appeals Sub Committee (2.30pm) – 21 November 2017
Licensing & Appeals Sub Committee (3.15pm) – 21 November 2017

MEETING CLOSED 7.18PM

CHAIRMAN