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Governance & Resources Committee

Minutes of a Governance & Resources Committee meeting held at 6.00 pm on Thursday, 16th February, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT Councillor Tom Donnelly - In the Chair

Councillors: Sue Bull, Helen Froggatt, Alyson Hill, Susan Hobson, Stuart Lees, Dermot Murphy, Alasdair Sutton, Robert Archer, Neil Buttle and Mike Ratcliffe

James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Karen Henriksen (Director of Resources), Mike Galsworthy (Estates and Facilities Manager), Rebecca Cummins (Community Development Manager), Jason Spencer (Electoral and Democratic Services Manager) and Lucy Harrison (Democratic Services Assistant)

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): David Chapman, Garry Purdy, Paul Cruise, Steve Flitter and Colin Swindell

301/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Mike Ratcliffe, Seconded by Councillor Alasdair Sutton and

RESOLVED (unanimously)

That the minutes of the meeting of the Governance and Resources Committee held on 22 November 2022 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

302/22 - PUBLIC PARTICIPATION

There was no public participation.

303/22 - INTERESTS

Item 10 - Asset Management Plan – Land Holdings Review

Councillor Sue Bull declared a non-pecuniary interest in Item 10 due to her husband being a member of the Ashbourne Shrovetide Committee.

Councillor Stuart Lees declared a non-pecuniary interest in Item 10 due to being a member of the Ashbourne Shrovetide Committee.

304/22 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15

No questions were submitted.

305/22 - TREASURY MANAGEMENT ANNUAL REPORT FOR 2021/22

The Director of Resources introduced a report summarising Treasury Management activities and the out-turn position against Prudential Indicators for 2021/22.

It was noted that the Council had long adopted the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the CIPFA Code) which required the Authority to approve treasury management mid-year and annual reports.

The Authority's treasury management strategy for the 2021/22 was approved at the Council meeting on 18th March 2021. The report compared actual treasury management activities for 2021/22 against the Authority's treasury management strategy for the year.

The report detailed that the Authority had invested substantial sums of money and was therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remained central to the Authority's treasury management strategy.

It was noted that the Prudential Code included a requirement for local authorities to provide a Capital Strategy, a summary document approved by full Council covering capital expenditure and financing, treasury management and non-treasury investments. The Authority's Capital Strategy for 2021/22, complying with CIPFA's requirement, was approved by full Council on 24th March 2022.

18:07 – During discussion of the item Councillor Robert Archer entered the meeting.

It was moved by Councillor Mike Ratcliffe, Seconded by Councillor Susan Hobson and

RESOLVED (unanimously)

1. That the Treasury Management Annual Report and Out-turn Prudential Indicators for 2021/22 be approved.

The Chairman declared the motion **CARRIED**.

306/22 - RETURNING OFFICER'S FEES AND ARRANGEMENTS FOR ELECTIONS

The Director of Corporate and Customer Services introduced a report which sought approval of the fees that may be claimed by the Returning Officer for discharging their personal and statutory responsibilities in respect of the conduct of elections to the District Council and Parish Councils within the Derbyshire Dales.

Members were informed that the Representation of the People Act 1983 required each Council to appoint an officer of the authority as Returning Officer to undertake various statutory duties in relation to election procedures. In addition, the Council must provide the Returning Officer with the necessary resources to enable efficient and lawful delivery of the elections. The Chief Executive had been appointed as Returning Officer by the Council.

The report informed Members of the requirement that every District Council appoint an Electoral Registration Officer (ERO) with personal responsibility to maintain the register of electors, conduct the annual canvass and encourage electors in the electoral process. The ERO also discharged the responsibilities of the Acting Returning Officer at a UK Parliamentary election. This role was undertaken by the Director of Corporate and Customer Services at the District Council.

It was noted that for national elections and referendums the fee paid to the Returning Officer was set by statute and paid by central Government. For Local elections the fee was paid by the local authority. The fees for the Returning Officer had not been reviewed for a number of years and it was noted that it was important to keep these under review to avoid a need for a significant increase in fees.

It was moved by Councillor Susan Hobson, Seconded by Councillor Mike Ratcliffe and

RESOLVED (unanimously)

1. That the maximum fee for contested district and parish council elections to be claimed by the Returning Officer be set at £52.60 per 1,000 electors.
2. That the maximum fee for uncontested district and parish council elections to be claimed by the Returning Officer be set at £52.60 per electoral area.
3. That the maximum fee for the count to be claimed by the Returning Officer be set at £52.60 per electoral area contested.

The Chairman declared the motion **CARRIED**.

307/22 - HALL LEYS PARK MATLOCK, TENNIS COURTS RESURFACING - CAPITAL PROGRAMME BID

The Community Development Manager introduced a report seeking the Committee's recommendation to Council to include within the Capital Programme a project to resurface the tennis courts in Hall Leys Park, Matlock.

Members were informed that the tennis courts in Hall Leys Park Matlock were very well used and were currently free to use for members of the public on a 'turn up and play' basis. Whilst the tennis courts were currently in a playable condition, they would require resurfacing works in the coming years and relining with paint prior to the spring.

The Council had been working in partnership with the Lawn Tennis Association who were working with a number of Local Authorities to improve the tennis courts in parks. The Lawn Tennis Association Park Investment Panel had, in principle, agreed grant funding to support the renovation project. This, therefore, would be fully funded circa £45,000.

If approved, it was noted that the courts would be hired out via the Lawn Tennis Association's online booking system where users would be able to login, book and pay for the court hire. The Lawn Tennis Association had recommended a small fee be implemented upon booking the courts. The recommended fee of £6 per court per hour had been benchmarked against other areas and local authorities who charged.

It was moved by Councillor Helen Froggatt, Seconded by Councillor Stuart Lees and

RESOLVED (unanimously)

1. That approval be granted for resurfacing the tennis courts in Hall Leys Park Matlock using external funding of circa £45,000 and that £45,000 for this project be included in the 2023/24 Capital Programme, subject to approval of Full Council on 2 March 2023.
2. That approval be given to implement a fee for the hiring of the tennis courts in Hall Leys Parks once the resurfacing works have taken place.

The Chairman declared the motion **CARRIED**.

308/22 - FEES AND CHARGES FOR 2023/24

The Director of Resources introduced a report seeking approval for the proposed fees and charges for 2023/24 in respect of Community and Environmental Services, Corporate and Customer Services and Regulatory Services.

The Committee was asked to consider an annual review of the fees and charges for services provided across the Council.

It was noted that in recent year's fees and charges had been increased, in general, by an amount that slightly exceeded inflation rates at the time. Charging above the current rate of inflation would generate higher levels of income in real terms (assuming no significant customer resistance) and would assist in balancing the budget for 2023/24 given the significant inflationary increases on Council spending.

The Consumer Price Index (CPI) stood at 11.1% in October 2022 and had fallen to 10.5% in December 2022, the last figures available at the time of writing the report. The Director of Resources informed members that the figures for January were now available and that there had been a reduction to 10.1%, still much higher than expected for this time of year. The usual practice was to inflate fees and charges for the coming year by slightly more than the current CPI. However, increases of this magnitude might not be acceptable to the public at these times of a cost of living crisis and might result in customer resistance. Therefore, service managers had used their knowledge of their service and customers to set the proposed fees and charges.

Appendices 1-13 of the report contained schedules of the existing and recommended charges.

It was moved by Councillor Susan Hobson, Seconded by Councillor Helen Froggatt and

RESOLVED (unanimously)

1. That the fees and charges recommended in Appendices 1 – 13 of the report be approved and implemented with effect from 1 April 2023, or as soon as is practical thereafter.
2. That subject to the approval of the Clean and Green Review report, due to be presented to Council in March, any required amendments to the fees and charges be considered by the relevant policy Committee.

The Chairman declared the motion **CARRIED**.

309/22 - ASSET MANAGEMENT PLAN - LAND HOLDING REVIEW

Councillor Stuart Lees did not vote on this item due to previously declaring an interest.

The Estates and Facilities Manager introduced a report representing the fifth phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan.

It was noted that the Asset Management Plan 2019-2023 was intended to set out the Council's strategic approach to the management of its land and property and to provide a framework within which property asset decision can be made in support of the Council's corporate aims and objectives. The Asset Management Plan recommended to support and enable Community Asset Transfer of land and buildings where appropriate.

Phase 5 of the Land Holdings Review covered 5 sites in which queries or expressions of interest had been received for Community Asset Transfers. Following consideration of planning, legal and estate management factors, together with operational requirements, recommendations were made regarding whether the sites should be retained, allocated for a particular use or sold and the terms which would apply.

An appraisal of each site had taken place comprising advice on any planning constraints, legal restrictions and maintenance liabilities/costs. The results and recommendations for these sites were summarised in Appendix 1 together with the plans of each site.

Members were informed that in regards to Site No. 2 and No.3 in Doveridge, two areas of concern had been raised by Doveridge Parish Council and the Ward Member. On the back of these concerns Doveridge Parish Council had commissioned a resident survey that would be live for a further 3 weeks on their website.

In order to receive responses from this survey, the Estates and Facilities Manager proposed that recommendation 2 be amended to read as follows:

“2. That subject to a positive response to the village survey commissioned by Doveridge Parish Council, Site no. 2, Doveridge Bowls Club and Site no.3, Doveridge pond and adjoining land be transferred to Doveridge Parish Council on the terms outlined in Appendix 1 of this report as a Community Asset Transfer of the freehold title.”

It was moved by Councillor Robert Archer, Seconded by Councillor Helen Froggatt and

RESOLVED (unanimously)

1. That Site no. 1, Land at Pasture Gate, Thorpe be transferred to National Trust on the terms outlined in Appendix 1 of the report as a Community Asset Transfer of the freehold title.
2. That subject to a positive response to the village survey commissioned by Doveridge Parish Council, Site no. 2, Doveridge Bowls Club and Site no. 3, Doveridge Pond and adjoining land be transferred to Doveridge Parish Council on the terms outlined in Appendix 1 of the report as a Community Asset Transfer of the freehold title.
3. That site no. 4, Part of Fanny Shaw Recreation Ground, Wirksworth be transferred to Wirksworth Regeneration and Development CIC on the terms outlined in Appendix 1 of the report as a Community Asset Transfer by way of long lease.
4. That Site no. 5, Part of Shawcroft car park, Ashbourne be transferred to Ashbourne Royal Shrovetide Football Committee on the terms outlined in Appendix 1 of the report as a Community Asset Transfer by way of long lease,
5. That it is noted that all the disposals in this report (either by lease or freehold title transfer) comprise undervalue transactions permitted under the General Disposal Consent 2003.
6. That each party bear their own legal costs in respect of each disposal.

The Chairman declared the motion **CARRIED**.

Meeting Closed: 6.38 pm

Chairman