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Wednesday, 8 February 2023

To All Councillors:

As a Member or Substitute of the **Governance & Resources Committee**, please treat this as your summons to attend a meeting on **Thursday, 16 February 2023 at 6.00 pm** in the **Council Chamber, Town Hall, Matlock, DE4 3NN**

Yours sincerely,

James McLaughlin
Director of Corporate and Customer Services

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AGENDA

1. APOLOGIES FOR ABSENCE

Please advise the Democratic Services Team on 01629 761133 or email committee@derbyshiredales.gov.uk with any apologies for absence.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING (Pages 5 - 8)

22 November 2022

3. PUBLIC PARTICIPATION

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by email) **BY NO LATER THAN**

12 NOON OF THE WORKING DAY PRECEDING THE MEETING. As per Procedural Rule 14.4 at any one meeting no person may submit more than 3 questions and no more than 1 such question may be asked on behalf of one organisation.

4. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member, her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at the time.

5. QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15

To answer questions from Members who have given the appropriate notice.

6. TREASURY MANAGEMENT ANNUAL REPORT FOR 2021/22 (Pages 9 - 26)

Members to receive a report summarising the Treasury Management activities and the out-turn position against Prudential Indicators for 2021/22.

7. RETURNING OFFICER'S FEES AND ARRANGEMENTS FOR ELECTIONS (Pages 27 - 32)

This report seeks 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.

8. HALL LEYS PARK MATLOCK, TENNIS COURTS RESURFACING - CAPITAL PROGRAMME BID (Pages 33 - 48)

This project will seek to resurface the double tennis courts in Hall Leys Park, Matlock. The Lawn Tennis Association will provide the full funding of circa £45,000 to include resurfacing and a new gated entry.

9. FEES AND CHARGES FOR 2023/24 (Pages 49 - 98)

This report seeks approval for proposed fees and charges for 2023/24 in respect of Community and Environmental Services, Corporate and Customer Services and Regulatory Services.

10. ASSET MANAGEMENT PLAN - LAND HOLDING REVIEW (Pages 99 - 120)

This report represents the fifth phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan. This phase of the Land Holdings Review covers 5 sites across the District in which expressions of interest have been received for Community Asset Transfers.

Members of the Committee - Councillors Tom Donnelly (Chair), David Chapman (Vice-Chair), Sue Bull, Helen Froggatt, Alyson Hill, Susan Hobson, Stuart Lees, Dermot Murphy,

Garry Purdy, Alasdair Sutton, Robert Archer, Paul Cruise, Steve Flitter, Neil Buttle, Mike Ratcliffe and Colin Swindell

Substitutes – Councillors Jason Atkin, Richard FitzHerbert, Janet Rose, Mark Wakeman, David Hughes, Steve Wain, Matt Buckler, Dawn Greatorex and Peter O'Brien

NOTE

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committee@derbyshiredales.gov.uk

Governance & Resources Committee

Minutes of a Governance & Resources Committee meeting held at 6.00 pm on Tuesday, 22nd November, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Tom Donnelly - In the Chair

Councillors: David Chapman, Helen Froggatt, Susan Hobson, Stuart Lees, Dermot Murphy, Garry Purdy, Robert Archer, Paul Cruise, Steve Flitter, Neil Buttle and Mike Ratcliffe

Present as substitute – Councillor(s): Mark Wakeman

Paul Wilson (Chief Executive), Karen Henriksen (Director of Resources), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Jim Fearn (Communications & Marketing Manager), Jenny Williams (Head of the Internal Audit Consortium) and Tommy Shaw (Democratic Services Team Leader)

Note:

“Opinions expressed or statements made by individual persons during the public participation part of a Council or committee meeting are not the opinions or statements of Derbyshire Dales District Council. These comments are made by individuals who have exercised the provisions of the Council’s Constitution to address a specific meeting. The Council therefore accepts no liability for any defamatory remarks that are made during a meeting that are replicated on this document.”

APOLOGIES

Apologies for absence were received from Councillor(s): Sue Bull, Alyson Hill, Alasdair Sutton, Claire Raw and Colin Swindell

201/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Susan Hobson, Seconded by Councillor Stuart Lees and

RESOLVED (unanimously)

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

The Chairman declared the motion **CARRIED**.

202/22 - PUBLIC PARTICIPATION

There was no public participation.

203/22 - INTERESTS

There were no declarations of interest.

204/22 - COMMUNICATIONS AND MARKETING STRATEGY - ANNUAL REPORT 2022

The Communications and Marketing Manager introduced the annual report regarding the Communication and Marketing Strategy, a strategy which sets out how residents, employees and service users are kept informed about what the District Council is doing, how it is spending public money, and the services they can access. The report gave a review of the 2022 Action Plan and sought approval of the Action Plan for 2023. The report also presented information to Members regarding the strategic framework of the current Communications and Marketing Strategy to be noted.

The report detailed the history of the current Communications and Marketing Strategy since its adoption in 2014, and outlined the ambitious yet realistic targets going forward, to support the Council's Corporate Objectives and core values.

It was moved by Councillor Mark Wakeman, Seconded by Councillor Garry Purdy and

RESOLVED (unanimously)

1. That the strategic framework of the current Communications and Marketing Strategy be noted.
2. That the Action Plan for 2023 be approved.

The Chairman declared the motion **CARRIED**.

205/22 - REVIEW OF INTERNAL AUDIT CHARTER

The Head of the Internal Audit Consortium introduced a report which informed Members of the results of a review of the Internal Audit Charter. The report explained the requirement of the Public Sector Internal Audit Standards (PSIAS) that the purpose, authority and responsibility of internal audit must be formally defined in an Internal Audit Charter. The requirement for this to be periodically reviewed by the Head of Internal audit and presented to the relevant Committee for approval was also noted.

It was moved by Councillor Steve Flitter, Seconded by Councillor Mike Ratcliffe and

RESOLVED (unanimously)

1. That Members note the outcome of the review of the Internal Audit Charter.
2. That the Internal Audit Charter be agreed.

3. That the agreed Internal Audit Charter be reviewed in three years' time or sooner in the event of any significant changes being made to the Public Sector Internal Audit Standards.

The Chairman declared the motion **CARRIED**.

206/22 - PROGRESS UPDATE ON THE 2022/23 INTERNAL AUDIT PLAN

The Head of the Internal Audit Consortium presented a report which presented Members with a progress update in respect of the 2022/23 Internal Audit Plan. The report also included a summary of internal audit reports issued since the last meeting of this committee.

The plan provides a framework by which service functions are reviewed to test and report on the adequacy and effectiveness of the governance, risk and control arrangements in place. Completion of the plan enables the Head of Internal Audit to provide an annual opinion on the governance, risk and control arrangements in place.

The report also detailed the key internal audit related issues being faced by the authority, including difficulties in recruitment and resources along with the reports already issued for the current municipal year and the assurance levels provided.

It was moved by Councillor Garry Purdy, Seconded by Councillor Steve Flitter and

RESOLVED (unanimously)

1. That the report be noted.

The Chairman declared the motion **CARRIED**.

207/22 - ASSET MANAGEMENT PLAN - LAND HOLDINGS REVIEW PHASE 4

The Chief Executive introduced a report which represented the fourth phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan. The report informed Members that the current phase of the Land Holdings Review covers four sites across the District in which expressions of interest had been received for Community Asset Transfers.

The report detailed the intention of the Asset Management Plan 2019-2023 to set out the Council's strategic approach to the management of its land and property, and how the plan provides a framework within which property asset decisions can be made in support of the Council's corporate aims and objectives. The report also detailed the key issues relating to the fourth phase of the Land Holdings Review.

It was moved by Councillor Garry Purdy, Seconded by Councillor Steve Flitter and

RESOLVED (unanimously)

1. That site no. 1, Grey Ditch Bradwell be transferred to Bradwell Parish Council on the terms outlined in Appendix 1 of the report as a Community Asset Transfer of the freehold title.

2. That site no. 2, Knabhall Lane, Tansley be transferred to Tansley 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. 3, Allotments and adjoining land at Church Road, Darley Dale be transferred to Darley Dale Town Council on the terms outlined in Appendix 1 of the report as a Community Asset Transfer of the freehold title.
4. That site no. 4, Tennis Court and Bowling Green, Matlock Bath be transferred to Matlock Bath Parish Council on the terms outlined in Appendix 1 of the report as a Community Asset Transfer by way of long lease.
5. That it be noted that the disposal of sites 1, 2, 3 and 4 (either by lease or freehold title transfer) comprise an undervalue transaction permitted under the General Disposal Consent 2003.
6. That each party will bear their own legal costs in respect of sites 1, 2, 3 and 4.

The Chairman declared the motion **CARRIED**.

Meeting Closed: 6.45 pm

Chairman



Agenda Item 6

**OPEN REPORT
GOVERNANCE & RESOURCES COMMITTEE**

Governance & Resources Committee - 16 February 2023

TREASURY MANAGEMENT ANNUAL REPORT FOR 2021/22

Report of the Director of Resources

Report Author and Contact Details

Karen Henriksen – Director of Resources
01629 761284 or karen.henriksen@derbyshiredales.gov.uk

Wards Affected

District-wide

Report Summary

This report summarises Treasury Management activities and the out-turn position against Prudential Indicators for 2021/22

Recommendation

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

List of Appendices

None

Background Papers

None

Consideration of report by Council or other committee

None

Council Approval Required

Yes

Exempt from Press or Public

No

TREASURY MANAGEMENT ANNUAL REPORT FOR 2021/22

1 Background

- 1.1 The Council has long adopted the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the CIPFA Code) which requires the Authority to approve treasury management mid-year and annual reports.
- 1.2 Treasury risk management at the Authority is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the CIPFA Code) which requires the Authority to approve a treasury management strategy before the start of each financial year and, as a minimum, a semi-annual and annual treasury outturn report.
- 1.3 The Authority's treasury management strategy for the 2021/22 was approved at the Council meeting on 18th March 2021. This report fulfils part of reporting requirement by providing the **annual (end-of-year) treasury management report**. The report compares actual treasury management activities for 2021/22 against the Authority's treasury management strategy for the year.
- 1.4 The Authority has invested substantial sums of money and is 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 remains central to the Authority's treasury management strategy.
- 1.5 The Prudential Code includes 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.

2. Key Issues

2.1 External Context during 2021/22

- 2.1.1 Economic background: The continuing economic recovery from coronavirus pandemic, together with the war in Ukraine, higher inflation, and higher interest rates were major issues over the period.
- 2.1.2 The Bank Rate was 0.1% at the beginning of the reporting period. April and May saw the economy gathering momentum as the shackles of the pandemic restrictions were eased. Despite the improving outlook, market expectations were that the Bank of England would delay rate rises until 2022. Rising, persistent inflation changed that.
- 2.1.3 UK CPI was 0.7% in March 2021 but thereafter began to steadily increase. Initially driven by energy price effects and by inflation in sectors such as retail and hospitality which were re-opening after the pandemic lockdowns,

inflation then was believed to be temporary. Thereafter price rises slowly became more widespread, as a combination of rising global costs and strong demand was exacerbated by supply shortages and transport dislocations. The surge in wholesale gas and electricity prices led to elevated inflation expectations. CPI for February 2022 registered 6.2% year on year, up from 5.5% in the previous month and the highest reading in the National Statistic series. Core inflation, which excludes the more volatile components, rose to 5.2% year on year from 4.4%.

- 2.1.4 The government's jobs furlough scheme insulated the labour market from the worst effects of the pandemic. The labour market began to tighten and demand for workers grew strongly as employers found it increasingly difficult to find workers to fill vacant jobs. Having peaked at 5.2% in December 2020, unemployment continued to fall. Headline 3-month average annual growth rate for wages were 4.8% for total pay and 3.8% for regular pay. In real terms, after adjusting for inflation, total pay growth was up 0.1% while regular pay fell by 1.0%.
- 2.1.5 With the fading of lockdown – and, briefly, the 'pingdemic' – restraints, activity in consumer-facing sectors improved substantially as did sectors such as oil and mining with the reopening of oil rigs but materials shortages and the reduction in the real spending power of households and businesses dampened some of the growth momentum. Gross domestic product (GDP) grew by an upwardly revised 1.3% in the fourth calendar quarter of 2021 according to the final estimate (initial estimate 1.0%) and took UK GDP to just 0.1% below where it was before the pandemic. The annual growth rate was revised down slightly to 7.4% (from 7.5%) following a revised 9.3% fall in 2020.
- 2.1.6 Having increased the Bank Rate from 0.10% to 0.25% in December, the Bank of England hiked it further to 0.50% in February and 0.75% in March. At the meeting in February, the Monetary Policy Committee (MPC) voted unanimously to start reducing the stock of its asset purchase scheme by ceasing to reinvest the proceeds from maturing bonds as well as starting a programme of selling its corporate bonds.
- 2.1.7 In its March interest rate announcement, the MPC noted that the invasion of Ukraine had caused further large increases in energy and other commodity prices, with the expectation that the conflict will worsen supply chain disruptions around the world and push CPI inflation to around 8% later in 2022. This has been exceeded with CPI inflation as at November 2022 being 10.7%.

2.2 Financial Markets

- 2.2.1 The conflict in Ukraine added further volatility to the already uncertain inflation and interest rate outlook over the period. The Dow Jones started to decline in January but remained above its pre-pandemic level by the end of the period while the FTSE 250 and FTSE 100 also fell and ended the quarter below their pre-March 2020 levels.

2.2.2 Bond yields were similarly volatile as the tension between higher inflation and flight to quality from the war pushed and pulled yields, but with a general upward trend from higher interest rates dominating as yields generally climbed.

2.2.3 The 5-year UK benchmark gilt yield began the quarter at 0.82% before rising to 1.41%. Over the same period the 10 year gilt yield rose from 0.97% to 1.61% and the 20-year yield from 1.20% to 1.82%. The Sterling Overnight Rate (SONIA) averaged 0.39% over the quarter.

2.3 Credit Review

2.3.1 In the first half of 2021/22 credit default swap (CDS) spreads were flat over most of period and are broadly in line with their pre-pandemic levels. In September spreads rose by a few basis points due to concerns around Chinese property developer Evergrande defaulting but then fell back. Fitch and Moody's revised upward the outlook on a number of UK banks and building societies on the Authority's counterparty to 'stable', recognising their improved capital positions compared to 2020 and better economic growth prospects in the UK.

2.3.2 Fitch also revised the outlook for Nordea, Svenska Handelsbanken and Handelsbanken plc to stable. The agency considered the improved economic prospects in the Nordic region to have reduced the baseline downside risks it previously assigned to the lenders.

2.3.3 The successful vaccine rollout programme was credit positive for the financial services sector in general and the improved economic outlook meant some institutions were able to reduce provisions for bad loans. However, in 2022, the uncertainty engendered by Russia's invasion of Ukraine pushed CDS prices modestly higher over the first calendar quarter, but only to levels slightly above their 2021 averages, illustrating the general resilience of the banking sector.

2.3.4 The successful vaccine rollout programme was credit positive for the financial services sector in general and the improved economic outlook meant some institutions were able to reduce provisions for bad loans. However, in 2022, the uncertainty engendered by Russia's invasion of Ukraine pushed CDS prices modestly higher over the first calendar quarter, but only to levels slightly above their 2021 averages, illustrating the general resilience of the banking sector.

2.3.5 Having completed its full review of its credit advice on unsecured deposits, in September Arlingclose extended the maximum duration limit for UK bank entities on its recommended lending list from 35 days to 100 days; a similar extension was advised in December for the non-UK banks on this list. As ever, the institutions and durations on the Authority's counterparty list recommended by Arlingclose remains under constant review.

2.4 Revised CIPFA Codes, Updated PWLB Lending Facility Guidance

- 2.4.1 In August 2021 HM Treasury significantly revised guidance for the PWLB lending facility with more detail and 12 examples of permitted and prohibited use of PWLB loans. Authorities that are purchasing or intending to purchase investment assets primarily for yield will not be able to access the PWLB except to refinance existing loans or externalise internal borrowing. Acceptable use of PWLB borrowing includes service delivery, housing, regeneration, preventative action, re-financing and treasury management.
- 2.4.2 CIPFA published its revised Prudential Code for Capital Finance and Treasury Management Code on 20th December 2021. The key changes in the two codes are around permitted reasons to borrow, knowledge and skills, and the management of non-treasury investments.
- 2.4.3 The principles of the Prudential Code took immediate effect although local authorities could defer introducing the revised reporting requirements until the 2023/24 financial year, which is the approach taken by DDDC.
- 2.4.4 To comply with the Prudential Code, authorities must not borrow to invest primarily for financial return. This Code also states that it is not prudent for local authorities to make investment or spending decision that will increase the Capital Financing Requirement unless directly and primarily related to the functions of the authority. Existing commercial investments are not required to be sold; however, authorities with existing commercial investments who expect to need to borrow should review the options for exiting these investments.
- 2.4.5 Borrowing is permitted for cash-flow management, interest rate risk management, to refinance current borrowing and to adjust levels of internal borrowing. Borrowing to refinance capital expenditure primarily related to the delivery of a local authority's function but where a financial return is also expected is allowed, provided that financial return is not the primary reason for the expenditure. The changes align the CIPFA Prudential Code with the PWLB lending rules.
- 2.4.6 The Council does not have any non-treasury investments and there has been no borrowing previously or within the current period to invest primarily for a return.

2.5 Local Context

- 2.5.1 On 31st March 2022, the Authority had net investments of £27,335m arising from its revenue and capital income and expenditure. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors are summarised in Table 1 below.

Table 1: Balance Sheet Summary

	31.03.21 Actual £m **	31.03.22 Actual £m
General Fund CFR	5,552	5,451
Less: *Other debt liabilities (if any)	0	0
Borrowing CFR	5,552	5,451
External borrowing	5,450	5,450
Internal (over) borrowing	102	1
Less: Usable reserves	(26,788)	(24,587)
Less: Working capital	5,259	(2,748)
Net Investments	(21,427)	(27,334)

** Adjusted to reflect balance sheet position. Prior year reflected cash-flow position

2.5.2 The treasury management position at 31st March 2022 and the change during the year is shown in Table 2 below.

Table 2: Treasury Management Summary

	31.3.21 Balance £m	Movement £m	31.3.22 Balance £m	31.3.22 Rate %
Total borrowing	5,450	0	5,450	4.1
Long-term investments	*(845)	(203)	(1,048)	3.46
Short-term investments	0	0	0	0
Cash and cash equivalents	(20,582)	(5,705)	(26,287)	0.61
Total investments	(21,427)	(5,908)	(27,335)	0.73
Net investments	(15,977)	(5,908)	(21,885)	

*position as per the balance sheet

Borrowing Strategy

2.5.3 At 31st March 2022, the Authority held £5.45m 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.

Investment Activity

2.5.4 The Authority holds invested funds, representing income received in advance of expenditure plus balances and reserves held. During 2021/22, the Authority's investment balance ranged between £19.7m and £41.8m due to timing differences between income and expenditure. Balances have been

higher than pre-Covid times as the Council has been responsible for the receipt and subsequent payment of grants to businesses and individuals. In addition the Authority has been responsible for the receipt and subsequent payment of grants to businesses and support to individuals as part of the COVID Government schemes. Funds were temporarily invested in call and money markets funds and was disbursed by the end of March 2022 or arrangements for amount to be repaid to the Government.

On 30th March 2022 £3.529m was received to fund the Energy Rebate Scheme which provided household support towards energy bills. Funds were temporarily invested in call and money markets funds and were disbursed by the end of November 2022.

Table 3: Investments at 31st March 2022

Investment Held	Amount £'000	Rate %
Lloyds Bank	787	0.650
Aberdeen Liquidity Fund	4,000	0.676
LGIM Sterling Liquidity Fund	4,000	0.619
Insight Liquidity Fund	3,500	0.660
Federated Hermes Short-Term Fund	4,000	0.640
Aviva	4,000	0.676
CCLA Deposit Fund	4,000	0.691
CCLA Property Fund	1,048	3.460
Debt Management Office (DMO –Government)	2,000	0.100
Total	27,335	0.726

2.5.5 Ultra low short-dated cash rates, which were a feature since March 2020 when Bank Rate was cut to 0.1%, prevailed for much of the 12-month reporting period which resulted in the return on sterling low volatility net asset value (LVNAV) Money Market Funds being close to zero even after some managers have temporarily waived or lowered their fees. However, higher returns on cash instruments followed the increases in Bank Rate in December, February and March. At 31st March, the 1-day return on the Authority's MMFs ranged between 0.619% and 0.691%.

2.5.6 Similarly, deposit rates with the Debt Management Account Deposit Facility (DMADF) initially remained very low with rates ranging from 0% to 0.1%, but following the hikes to policy rates increased to between 0.55% and 0.85% depending on the deposit maturity. The average return on the Authority's DMADF deposits was 0.1%.

The progression of risk and return metrics are shown in the extracts from Arlingclose's quarterly investment benchmarking below

Table 4: Risk & Return Metrics

	Credit Score	Credit Rating	Bail-in Exposure	Weighted Average Maturity (days)	Rate of Return (Total Portfolio) %
31 st March 2021	4.93	A+	100%	1	0.16
31 st March 2022	4.55	A+	92%	3	0.58
Similar LA	4.37	AA-	61%	43	1.18
All LAs	4.39	AA-	60%	14	0.97

Compared to other Local Authorities, Derbyshire Dales has received a lower rate of return due to shorter term investments in mainly money market funds and the current account during the earlier part of the financial year. Similar local authorities have invested more in strategic pooled funds.

Externally Managed Pooled Funds – CCLA Property Fund

2.5.7 £1m of the Authority’s investments are held in externally managed strategic pooled property funds where short-term security and liquidity are lesser considerations, and the objectives instead are regular revenue income and long-term price stability. These funds generated dividends of £34,607 (3.46%) in the year to 31st March 2022. This excludes amounts received but not accrued for in 2020/21.

2.5.8 The capital value of the property fund is shown in Table 3 above and represent a capital gain of £48k. At present a statutory override is in place which in effect means that the valuation gain does not impact upon the budget position of the Authority. The statutory override is in place until 31st March 2025 therefore the Authority will continue to monitor the position and make appropriate provisions if necessary.

2.5.9 In light of Russia’s invasion, Arlingclose contacted the fund managers of our MMF, cash plus and strategic funds and confirmed no direct exposure to Russian or Belarusian assets had been identified. Indirect exposures were immaterial. It should be noted that that any assets held by banks and financial institutions (e.g. from loans to companies with links to those countries) within MMFs and other pooled funds cannot be identified easily or with any certainty as that level of granular detail is unlikely to be available to the fund managers or Arlingclose in the short-term, if at all.

Interest Received compared to Budget 2021/22

The original budget reflected the difficult trading position prevailing at the time the budget was set (March 2021). However, with interest rates increasing over February and March 2022 the actual interest received for 2021/22 was significantly higher than budget.

Table 5 - Budget Out-turn Position- Interest Receivable

Financial Year	Original Budget £	Revised Budget £	Actual £	Revised v Actual Variance £	Average portfolio balance £(m)
2020/21	134,472	87,750	95,714	7,964	30.9
2021/22	37,000	37,000	53,906	16,906	29.0

2.5.10 Other Non-Treasury Holdings and Activity

The definition of investments in CIPFA's revised Treasury Management Code now covers all the financial assets of the Authority as well as other non-financial assets which the Authority holds primarily for financial return. This is replicated in MHCLG's Investment Guidance, in which the definition of investments is further broadened to also include all such assets held partially for financial return.

The Authority also held £1.67m of such investment in directly owned property. These investments generated £0.1m of investment income for the Authority after taking account of direct costs, representing a rate of return of 6.1% This is higher than the return earned on treasury investments but reflects the additional risks to the Authority of holding such investments.

2.6 Compliance Report

Compliance with specific investment limits is demonstrated in table 6 below.

Table 6: Investment Limits

	2021/22 Maximum	31.3.22 Actual	2021/22 Limit	Complied
Banks Unsecured per bank (1m per counterparty)	£0.41m	£0.04m	£2m	✓
Banks – Council's Own banker (Lloyds)	£6.54m	£1.0m	£7m	✓
Local Authorities per Authority	£4m	£0m	£4m	✓
Money Market Funds (per fund)	£4m	No more than £4m in any fund	£4m	✓
UK Government	Unlimited	£2m	Unlimited	✓
Pooled Funds	£1.048m	£1m	£3m	✓

Compliance with the authorised limit and operational boundary for external debt is demonstrated in table 7 below.

Table 7: Debt Limits

	2021/22 Maximum £(000)	31.3.22 Actual £(000)	2020/21 Operational Boundary £(000)	2020/21 Authorised Limit £(000)	Complied
Borrowing	5,450	5,450	8,000	11,000	✓
PFI & finance leases	0	0	1,000	1,000	✓
Total debt	5,450	5,450	9,000	12,000	✓

2.7. Treasury Management Indicators

The Authority measures and manages its exposures to treasury management risks using the following indicators:

Security: The Authority has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio.

	31.3.21 Actual	2020/21 Target	Complied
Portfolio Average Credit Rating	A+	A	✓

Liquidity: The Authority has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three month period, without additional borrowing.

	31.3.22 Actual	2021/22 Target	Complied
Total cash available within 3 months	26m	7m	✓

Interest Rate Exposures: This indicator is set to control the Authority's exposure to interest rate risk. The upper limits on the one-year revenue impact of a 1% rise or fall in interest rates was:

Interest rate risk indicator	31.3.22 Actual	2021/22 Limit	Complied
Upper limit on one-year revenue impact of a 1% <u>rise</u> in interest rates	£271,683	£85,000	x

Upper limit on one-year revenue impact of a 1% <u>fall</u> in interest rates	£271,683	£105,000	x
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The Council has no variable rate borrowing so the above table is based upon the Council's exposure to a 1% change in investment rates. If interest rates fluctuated by 1% the Council would be exposed to a £271,683 movement in interest received based on the investment portfolio at 31/3/22.

The main reason for this large fluctuation (which is above the limits set in the 2021/22 Treasury Management Strategy), is that the Council only had investments of £2m invested for a fixed period at 31/3/22, the remainder of the investment portfolio was held in variable rate accounts where the funds could be accessed immediately. As returns on investments were low during 2021/22 and resources within the Finance team were scarce, decisions were taken to prioritise the accessibility of the cash (i.e. liquidity) and therefore short-term financial instruments such as Money Market Funds were utilised rather than investing for fixed periods of time. This meant that the Council had a higher exposure to interest rate changes.

As part of the Treasury Management Strategy to be reported in March 2023, the limits for interest rate exposure will be reviewed and aligned with our investment strategy for the forthcoming year. Fixed rate investments and borrowings are those where the rate of interest is fixed for at least 12 months, measured from the start of the financial year or the transaction date if later. All other instruments are classed as variable rate.

Maturity Structure of Borrowing: This indicator is set to control the Authority's exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate borrowing were:

	Actual	Upper Limit	Lower Limit	Complied
Under 12 months	0%	35%	0%	✓
12 months and within 24 months	0%	50%	0%	✓
24 months and within 5 years	0%	65%	0%	✓
5 years and within 10 years	0%	80%	0%	✓
10 years and above	100%	100%	0%	✓

NOTE: Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

Principal Sums Invested for Periods Longer than 364 days: The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end were:

	2021/22 Actual £	Limit £	Complied
Principal invested beyond year end	2m	5m	✓

2.8 PRUDENTIAL INDICATORS 2021/22

The following Prudential Indicators were outlined in the Capital & Treasury Monitoring Report for 2021/22. The actual performance against these indicators is given below.

Table 8: Prudential Indicator: Estimates of Capital Expenditure.

	2021/22 Original Budget £ (000)	2021/22 Revised Budget £ (000)	2021/22 Actual v Revised £ (000)	Variance £ (000)
General Fund Services (Debt)	5,701	5,701	5,450	251
Capital Investments	7,578	5,938	4,445	1,493
TOTAL	13,279	11,639	9,895	1,744

The capital programme was revised during the year to take into account projects that were no longer proceeding and projects recently approved for inclusion in the programme. The actual year-end position shows there has been slippage in the capital programme and some major projects are being completed during 2023/24. Expenditure was £1.493m less than planned, which also contributed to the value of balances held as at 31st March 2022.

Table 9: Capital Financing

All capital expenditure must be financed, either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and Private Finance Initiative). The planned financing of the above expenditure is as follows:

	2021/22 Original budget £ (0000)	2021/22 Revised budget £ (000)	2021/22 Actual £ (000)	Rev/Actual Variance £ (000)
External sources	691	2,407	1,594	813
Own resources	6,887	3,530	2,851	679
Debt	5,701	5,701	5,552	149
TOTAL	13,279	11,638	9,997	1,641

A reduction in overall capital expenditure has reduced funding required in 2021/22. The Council had planned to borrow to introduce energy efficiency measures within its buildings. As the Council was successful in obtaining grants for these projects, the internal contribution required was reduced and funded from the Council's own resources.

Debt is only a temporary source of finance, since loans and leases must be repaid, and this is therefore replaced over time by other financing, usually from revenue which is known as minimum revenue provision (MRP). Alternatively, proceeds from selling capital assets (known as capital receipts) may be used to replace debt finance. Planned MRP repayments and use of capital receipts are as follows:

Table 10: Replacement of debt finance in £'000

	2021/22 budget	2021/22 Actual	Variance
Own resources	101	101	0

The Council's cumulative outstanding amount of debt finance is measured by the capital financing requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP and capital receipts used to replace debt. The reduction in CFR was as planned.

Table 11: Prudential Indicator: Estimates of Capital Financing Requirement in £'000

	31.3.2022 budget	31.3.2022 Actual	Variance
General Fund services	5,600	5,450	150
TOTAL CFR	5,600	5,450	150

Asset disposals: When a capital asset is no longer needed, it may be sold so that the proceeds, known as capital receipts, can be spent on new assets or to repay debt.

Table 12: Capital Receipts in £'000

	Original 2021/22 budget	Revised 2021/22 budget	2021/22 actual	Variance
Asset sales	(150)	(100)	(549)	(449)
Loans repaid	0	0	0	0
TOTAL	(150)	(100)	(549)	(449)

*excludes £56k received in 21/22 which related to previous financial year 20/21

The Authority received £449k more in capital receipts from Right to Buy Sales administered through Platform Housing Group and vehicle sales. Arrangements are being put into place by the Director of Housing to obtain more accurate forecasts from Platform Housing with regards to Right to Buy sales.

Treasury Investments

As previously discussed, amounts available for investment arose due an increase in COVID funding and a reduction in capital expenditure. Investments were kept short-term during the period with no new longer term investment taking place.

Table 13: Treasury management investments in £'000

	31.3.2022 budget	31.3.2022 Actual	Variance
Near-term investments	15,000	26,287	(11,287)
Longer-term investments	2,000	1,048	952
TOTAL	17,000	27,335	(10,335)

Revenue Budget Implications

Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants. This does not include exceptional grants received in the year relating to COVID.

Table 14: Prudential Indicator: Proportion of financing costs to net revenue stream

	2021/22 budget 000's	2021/22 Actual 000's	Variance 000's
Financing costs (£'000)	462	450	(12)
Proportion of net revenue stream	4.38%	3.97%	(0.41%)

The proportion of financing costs has reduced as the:-

- There has been a reduction in the interest received compared to the budget.
- A higher proportion of non-ring-fenced grants were received than budgeted.

3. Options Considered and Recommended Proposal

3.1 Not applicable.

4. Consultation

4.1 No consultation is required.

5. Timetable for Implementation

5.1 There are no recommendations so no plans for implementation.

6. Policy Implications

6.1 This is a compliance report in respect of Treasury Management policy as set out in the treasury Management Strategy Statement, approved in March 2021.

7. Financial and Resource Implications

7.1 The Council has generated £16,906 more than budgeted in investment income due to a rise in interest rates during the final quarter of 2021/22.

7.2 There are no financial risks arising from the recommendations in this report.

8. Legal Advice and Implications

8.1 This report summarises Treasury Management activities and the out-turn position against Prudential Indicators for 2021/22

8.2 The report complies with best practice and government guidance on the preparation of the treasury management outturn report, which aims in part, to mitigate financial risk to the Council.

8.3 There is disclosure of non-compliance in respect of the treasury indicator for interest rate exposure.

8.4 The recommended decision making connected to this report is for the Treasury Management Annual Report and Out-turn Prudential Indicators for 2021/22 be approved. Therefore at the current time the legal risk of the report recommendation is low.

9. Equalities Implications

9.1 There are no current equalities implications associated with this report.

10. Climate Change Implications

10.1 No detailed climate change impact assessment is required when reporting outcomes, as this report does. However, it is noted that during 2021/22 the Council held several investments of significant value (see table 3). The potential climate change impacts of investments are complex and the Council would need external expertise to understand fully the impacts of any investment.

10.2 CIPFA's Treasury Management Code of Practice (2021) acknowledges that the development of policy and practices relating to Environmental, Social and Governance (ESG) investment considerations is a developing area and it is not implied that the organisation's ESG policy will currently include ESG scoring or other real-time ESG criteria at individual investment level

10.3 The Code goes on to say that Environmental, social and governance (ESG) issues are increasingly significant for investors and investment managers. This is better developed in equity and bond markets than for short-term cash deposits, and there is a diversity of market approaches to ESG classification and analysis. This means that a consistent and developed approach to ESG for public service organisations is currently difficult.

10.4 There are, however, no universally agreed and accepted definitions or metrics for environmental, social and governance issues. Officers have explored the options available in terms of engaging a partner to assist the Council in conducting due diligence on current investments and considering and selecting funds with one or more specific themes such as climate change and transition,

clean/renewable energy, sustainability, impact investing. This work would attract a fee – further details can be provided if required.

11. Risk Management

- 11.1 This strategy sets in place a proposed structure and systems that place security of investments above yield. The risk is therefore assessed as low.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	07/02/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	07/02/2023
Legal Services Manager	Kerry France	07/02/2023

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Agenda Item 7

**OPEN REPORT
GOVERNANCE AND RESOURCES COMMITTEE**

Governance and Resources Committee – 16 February 2023

RETURNING OFFICER'S FEES AND ARRANGEMENTS FOR ELECTIONS

Report of the Director of Corporate and Customer Services

Report Author and Contact Details

James McLaughlin, Director of Corporate & Customer Services
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Jason Spencer, Electoral and Democratic Services Manager
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Wards Affected

District wide

Report Summary

This report seeks 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.

Recommendations

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.

List of Appendices

None

Background Papers

None

Consideration of report by Council or other committee

No

Council Approval Required

No

Exempt from Press or Public
No

Returning Officer's Fees and Arrangements for Elections

1. Background

- 1.1 The Representation of the People Act 1983 requires 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 has been appointed as Returning Officer by the District Council.
- 1.2 Every district council is required to 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. Performance standards are set by the Electoral Commission. The ERO also discharges the responsibilities of the Acting Returning Officer at a UK Parliamentary election. This role is undertaken by the Director of Corporate and Customer Services at the District Council.

2. Key Issues

- 2.1 The Returning Officer is held personally responsible for the organisation and conduct of every election held within the District. As such the Returning Officer is entitled to a fee for:
 - conducting the election
 - giving the prescribed notices
 - preparing and supplying nomination papers
 - deciding as to the validity of nominations
 - appointing and remunerating Deputy Returning Officers
 - arranging for or conducting the poll
 - counting the votes
 - declaring the result and making a return of the same, and
 - generally performing all of the duties which a Returning Officer is required to perform under the Representation of the People Acts and Rules and Regulations made thereunder.
- 2.2 For national elections and referendums the fee paid to the Returning Officer is set by statute and paid by central Government. For local elections the fee is paid by the local authority.
- 2.3 The Representation of the People Act 1983 provides that all expenditure properly incurred by the Returning Officer in relation to an authority election shall be paid by the Council, in so far as such expenditure does not, in cases where there is a scale fixed for the purpose by the Council for that area, exceed that scale. There are similar provisions for the election of parish councillors, although there is discretion as to whether that cost should be reclaimed from the parish councils concerned.
- 2.4 The legislation therefore makes provision for a scale of expenses to be fixed for the purpose of determining the expenses which are to be met, although it does not require such a scale to be adopted. It also provides that, in cases where a scale has been fixed, such scale may not be exceeded.

- 2.5 Where combined polls are held, the legislation requires that election expenses be apportioned equally between such polls. However, not all functions at a combined poll are combined. The Council's scale of fees will therefore be used where costs are attributable to district ward elections, but parish election costs will be reclaimed from the parish councils concerned (unless the Council were to decide otherwise). If a contested parish poll does not take place, the costs reclaimed will be limited to the work involved in dealing with nominations, publishing notices, associated fees and incidental costs such as postage.
- 2.6 The current expenses that can be claimed by the Returning Officer in respect of district and parish elections are:

District Council Contested	Electorate / 1000 (rounded up) x £47.50 per contest
Parish Council Contested	Electorate / 1000 (rounded up) x £47.50 per contest
District Council Uncontested	£47.50 electoral area
Parish Council Uncontested	£47.50 electoral area
Count Fee	£47.50 per count

3. Options Considered and Recommended Proposal

- 3.1 The fees for the Returning Officer have not been reviewed for a number of years and it is important to keep these under review to avoid a need for a significant increase in fees. At the UK parliamentary election in December 2019, the Acting Returning Officer could claim a maximum amount of £52.60 per 1,000 electors, which represents a 10% increase on the current figure that can be claimed by the Returning Officer for district and parish elections.
- 3.2 If the Returning Officer fees were increased by 10% it has been calculated that this would result in an additional £775.20 if all parish council elections were uncontested. If the same number of parishes were contested in May 2023 as were in May 2019, this would result in an overall fee for the Returning Officer of just over £1,000 for parish elections.
- 3.3 With a UK parliamentary election required to be held by January 2025, it is expected that there will be an increase to the expenses that can be claimed by the Acting Returning Officer. It is therefore recommended that the maximum fees that can be claimed by the Returning Officer in respect of district and parish elections be increased to £52.60.

4. Consultation

- 4.1 No consultation has taken place in respect of this proposal.

5. Timetable for Implementation

- 5.1 Subject to the agreement of the Committee, the new scale of fees would be effective for the district and parish elections that are scheduled to take place on 4 May 2023.

6. Policy Implications

- 6.1 There are no policy implications associated with this proposal.

7. Financial and Resource Implications

- 7.1 The proposal would represent an increase in costs for the District Council, but this increase would be met from the existing budget for elections. The spending proposals for 2023/24, which are to be considered at the Council meeting on 2 March, include a proposed budget of £160,000 to cover District Council elections to be held in May 2023. This will be funded from the elections reserve. The authority has an elections reserve funded incrementally over a four year period to spread the cost of delivering whole Council elections in the fourth year. At the time of the May 2023 election, the elections reserve is forecast to have a balance of £218,000 (after the annual contribution for 2023/24) and there are no concerns in respect of the impact of this proposal. The financial risk is therefore assessed as low.

- 7.2 As detailed in the main body of this report above, it is essential that the Returning Officer has sufficient resources to undertake the various statutory duties at election times. This proposals within this report will enable the Returning Officer to meet their statutory duties.

8. Legal Advice and Implications

- 8.1 The Council has a statutory obligation under the Representation of the People Act 1983 to provide the necessary resources to the Returning Officer to carry out her duties and deliver an efficient and lawful election. The legal risk associated with this proposal is low.

9. Equalities Implications

- 9.1 An equality impact assessment has not been completed, but there are no anticipated impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

10. Climate Change Implications

- 10.1 There are no climate changes implications associated with the proposals within this report.

11. Risk Management

- 11.1 Delivery of a democratically sound and effective election is the overriding objective of the Returning Officer. There is a risk register and project plan in place for the management of the election. There are no risks directly associated with this report

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive		
Director of Resources/ S.151 Officer (or Financial Services Manager)		
Monitoring Officer (or Legal Services Manager)	James McLaughlin	06/02/2023

Agenda Item 8

Governance and Resources Committee – 16 February 2023

CAPITAL PROGRAMME BID – HALL LEYS PARK MATLOCK, TENNIS COURTS RESURFACING

Report of the Director of Community & Environmental Services

Report Author and Contact Details

Rebecca Cummins, Community Development Manager
01629 761385 or rebecca.cummins@derbyshiredales.gov.uk

Wards Affected

Matlock

Report Summary

This report seeks the Committee's recommendation to the Council to include within the Capital Programme a project to resurface the double tennis courts in Hall Leys Park, Matlock. The Lawn Tennis Association will provide the full funding of circa £45,000 to include resurfacing and a new gated entry.

Recommendation

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, which is subject to approval by 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.

List of Appendices

Appendix 1 - EIA

Background Papers

None

Consideration of report by Council or other committee

Not applicable

Council Approval Required

Yes, to be included in the 2023/24 Capital Programme

Exempt from Press or Public

No

CAPITAL PROGRAMME – HALL LEYS PARK MATLOCK TENNIS COURTS RESURFACING

1. Background

- 1.1 The tennis courts in Hall Leys Park Matlock are very well used and are exceptionally busy during the spring and summer months.
- 1.2 The tennis courts are currently free to use for members of the public on a 'turn up and play' basis.
- 1.3 The District Council's Sports Development Team have a weekly 'Rusty Rackets' session on the courts and also use them throughout the year for other sessions.
- 1.4 The tennis courts are currently in a playable condition however they will require resurfacing works in the coming years and relining with paint prior to the spring.

2. Key Issues

- 2.1 The District Council has been working in partnership with the Lawn Tennis Association who are working with a number of Local Authorities to improve the tennis courts in parks.
- 2.2 The Lawn Tennis Association Parks Investment Panel has, in principle, agreed grant funding to support the renovation project at Hall Leys Park. This, therefore, would be fully funded circa. £45,000. Works will include:
 - Small area of root damage that requires full layer reconstruction (approx. 42 sqm)
 - Full resurface layer to both courts (25mm) Porous Asphalt surface
 - It's advised that the old surface is pierced at 450mm centre to improve drainage of the surface
 - Final layer of paint applied with lines (blue and green)
 - New nets and posts x 2 courts
 - LTA Smart access entry gate installed (battery powered and linked to ClubSpark online booking platform to allow access via pin codes).
- 2.3 The District Council will continue to maintain the tennis courts after the resurfacing has taken place.
- 2.4 The courts will be hired out via the Lawn Tennis Association's online booking system. Users will login, book and pay for the court hire. They will be given a code to access the gates onto the courts. This code will automatically change for each booking made online.
- 2.5 This online booking system will also allow the district council to access usage data for the courts to see how well used they are and, when there are quiet periods, our sports development team will develop a programme of activity to increase usage.

- 2.6 The tennis courts are currently free to use on a 'turn up and play' basis but, if approval is given for this project to go ahead, the Lawn Tennis Association has recommended a small fee is implemented upon booking the courts.
- 2.7 This fee has been included in the fees and charges report (elsewhere on the agenda for this committee meeting) as £6 per court per hour, if this project is approved and goes ahead.
- 2.8 The fee for hiring the tennis court has been benchmarked against other areas and local authorities who charge and it is also a recommended fee from the Lawn Tennis Association.

3. Options Considered and Recommended Proposal

- 3.1 If this project doesn't go ahead this will have an impact on the future of the courts. Whilst the courts are currently in a playable condition with the exception of the lines needing to be repainted they are deteriorating and the District Council will have to consider resurfacing in future years due to health and safety. This will also have a negative impact on the usage of the courts as a small number of informal complaints have been made about the surface. The funding from the Lawn Tennis Association for the resurfacing is only available for a short period of time.
- 3.2 It is recommended that this project is added to the 2023/24 capital programme to enable to resurfacing works to place at Hall Leys Park.

4. Consultation

- 4.1 This report does seek a decision to make changes to policy as the tennis courts are currently free to access, the intention is to add a charge. Consultation has taken place with a small number of tennis users and the Lawn Tennis Association.
- 4.2 The consultation with the users from the 'Rusty Rackets' sessions has welcomed the resurfacing works and gated access. This will improve the overall condition of the courts and also deter any anti-social behaviour to take place or misuse on the courts.
- 4.3 In relation to the proposed fee to hire the courts this is also welcomed and understandable once the courts have been upgraded to such a high standard. The fee has also been benchmarked against other local authority tennis courts that charge.
- 4.4 Further consultation will be carried out via the website and online panel regarding the fee implementation.

5. Timetable for Implementation

6. If approval is granted to the resurfacing works in Hall Leys Park then the Lawn Tennis Association who are funding the project are keen to start the work before the peak of tennis playing season. The resurfacing works will take place sometime around April time and will mean the courts will be out of action for around 2 weeks whilst works take place.

7. Policy Implications

- 7.1 The Council charges fees to cover the cost of some of the services that are provided to make progress in delivering its Corporate Priorities

8. Financial and Resource Implications

- 8.1 This capital project is estimated to cost around £45,000 and would be fully funded by grant income. Council approval will need to be obtained (on 2 March 2023) for the project to be added to the capital programme for 2023/24. The financial risk is assessed as low.

9. Legal Advice and Implications

- 9.1 This report seeks the Committee's recommendation to the Council to include within the Capital Programme a project to resurface the double tennis courts in Hall Leys Park, Matlock. The Lawn Tennis Association will provide the full funding of circa £45,000 to include resurfacing and a new gated entry.

- 9.2 The recommended decision making includes approval for resurfacing the tennis courts in Hall Leys Park Matlock using external funding and approval be given to implement a fee for the hiring of the tennis courts. The legal risk connected to these recommended decisions is low.

10. Equalities Implications

- 10.1 An Equality Impact Assessment has been prepared to consider the impact of charging on residents and potential issues around accessibility if booking online is the only option, see appendix 1.

11. Climate Change Implications

- 11.1 There are no direct implications for CO2 Emissions and Climate Change arising from this report.

12. Risk Management

- 12.1 There is a risk that the proposed fee may result in customer complaints. It is hoped that this risk is mitigated by the improvement to the tennis courts. There are currently a few complaints regarding the condition of the courts and by improving these will reduce complaints and make the courts safer to play on. Therefore, this risk is assessed as low.

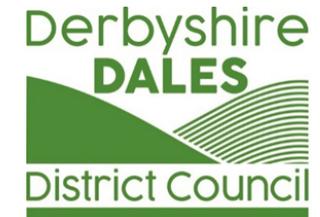
Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	07/02/2023
Director of Corporate and Customer Services (Monitoring Officer (or Legal Services Manager)	Kerry France	08/02/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	02/02/2023

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Derbyshire Dales District Council Equality Impact Assessment



Please refer to the guidance whilst completing this form.

Contact Elizabeth Wilson [elizabeth.wilson@derbyshiredales.gov.uk, or 01269 761240] for support.

1. Outline

Information required	Detail
a. Title of policy, practice, service or function being assessed	An introduction of a fee to hiring the tennis courts in Matlock and gated access
b. Links to Service and/or Corporate Plan Ref/s	Reducing inactivity levels Improving parks
c. Name and Role of Officers conducting assessment	Rebecca Cummins, Community Development Manager
d. Date of assessment	02/02/23
e. Reason for assessment	There will be a small fee implemented to hiring the newly resurfaced tennis courts which will also include gated access and online booking
f. What is the purpose of this policy, practice, service or function? (specify aims and objectives)	Change in policy as we didn't charge before To provide health, fitness, physical activity and sport Improve residents and visitors health and wellbeing
g. Are there any other organisations involved in its implementation?	Lawn Tennis Association
h. Likely customer groups to be impacted	Users of Hall Leys Park tennis courts in Matlock
i. Other stakeholders likely to be impacted	N/A
Which District Council departments are affected by the policy, practice, service or function?	Community Development/sports development Clean & Green

Information required	Detail
Do any of the objectives directly support or hinder another Council activity?	Supports active lifestyles

2. Assessing Relevance to the General Equality Duty

The General Equality Duty has three aims which require the District Council to have due regard to the need to:	Tick those which are relevant ✓
1. Eliminate unlawful discrimination (both direct or indirect), harassment and victimisation	
2. Advance equality of opportunity between all persons by <ul style="list-style-type: none"> removing or minimising disadvantages suffered by protected groups; taking steps to meet the needs of people from protected groups where these are different from the needs of other people encouraging people from protected groups to participate in public life or other activities where participation is disproportionately low 	✓
3. Foster good relations between different groups	✓

3. What existing information / data do you have / monitor about different diverse groups in relation to this policy, practice, service or function?

For example: previous EIA's, reports, consultation, surveys, demographic data etc.

Information / Data	Data source and date	Information relevant to proposed policy/service/function
<p>Office National Statistics 2021 Census https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationandhouseholdestimatesenglandandwalescensus2021</p>	<p>Office National Statistics population datasets – age, sex, households etc</p>	<p>e.g. Derbyshire Dales population has increased by 0.5% from 71,116 to 71,500</p> <p>27.8% of the population in the Derbyshire Dales are over 65</p> <p>The number of households has increased by 5.1%, from 30,744 to 32,300</p>
<p>Derbyshire Observatory https://observatory.derbyshire.gov.uk/wp-content/uploads/reports/documents/census/2021_census/Census2021_FirstReleaseDerbyshire.html#derbyshire-dales</p> <p>Infographic of data</p> <p>https://observatory.derbyshire.gov.uk/wp-content/uploads/reports/documents/census/2021_census/2021%20Census%20Infographic%20v5_DDales%20V1.0.png</p>	<p>Population figures by age, number of households, sex - Derbyshire Observatory; taken from Census 2011 - national survey of all households</p>	<p>The Derbyshire Dales has less people aged under 35 than the average for England, in all 5 year age bands</p>

Derbyshire Dales Equalities Profile https://observatory.derbyshire.gov.uk/wp-content/uploads/reports/profiles/census_profiles/equalities_profile/district/Derbyshire_Dales.pdf	Derbyshire Observatory; taken from Census 2011 - national survey of all households	e.g 19.7% of households are deprived in 2 or more areas Hurst Farm estate which falls within Hall Leys Park ward is in the top 10% of most deprived areas in England.
Derbyshire Dales Equality Information published on website: https://www.derbyshiredales.gov.uk/your-council/equalities/equality-information	DDDC Monitoring data collected by services (in-house and outsourced)	e.g. 4664 people aged 16 to 29 have Leisure Centre memberships - they are the age group that has the largest number of people in it
Population figures – estimated for 2020 by the ONS https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalescotlandandnorthernireland	Office of National Statistics	e.g. The UK median age is 40.4, in the Derbyshire Dales it is 51.5 e.g. Total population of Derbyshire Dales is 72,422; made up of 36,777 women and 35,645 men
https://makingourmove.org.uk/support-others/insight-learning/local-data-insights/	Sport England Active Lives	73.5% of adults in the dales are physically active – more than 150 minutes a week. This is up from 72.9% in 19-20. 17.8% of adults in the dales are inactive – less than 30 minutes a week. This is down from 18.9% in 19-20.

4. Consultation and engagement

4a. If no consultation has taken place OR is unnecessary, please explain why.

Consultation with the Lawn Tennis Association who are funding the project and they recommend introducing a fee to the tennis courts. The LTA have a website called Club Spark which all tennis courts who receive funding are on and this is linked to the gated entry system.
 Also consulted with the 'rusty rackets' session who play weekly on the tennis courts. They welcome the resurfacing works and understand the need for a charge on the newly refurbished tennis courts.
 Further consultation will take place looking into the fee via online panel

4b. Add the results of any completed consultation and how it has/will inform the development of the policy/service.

Who did you consult with?	How and when	Outcomes/Results	Implications and amendments as a result of consultation
The Lawn Tennis Association Tennis users	Verbally at an onsite meeting Verbally at the session	Recommend the a fee is introduced for the courts They welcome the resurfacing works and understand that an appropriate charge will be implemented	A charge will be implemented to hire the courts per hour and this can be done through online booking.

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4c. Add consultation plans and results here

Think about who the stakeholders are? How will you gather their views? By when?

Remember to complete a Consultation Proposal form to access support and refer to the guides – everything you need is here

<X:\Partnerships and Projects\Consultation All Directorates\Strategies Guidance Resources>

Who will you consult with?	How and When	Results	Implications and amendments as a result of consultation
General public	Survey monkey and online panel		

5. Based on the evidence above, does the policy, practice, service or function have a positive or negative impact on any protected group(s)?

Protected groups	Positive effects	Negative effects	Potential Improvement Actions
Age	The project looks to increase people's physical health and exercise opportunities.	Online booking system to access the courts	Offer open use sessions which are free Contact via telephone if can't access online weekdays 9-5 Free sessions for working age too so evenings and weekends
Disability or long term ill heath Physical disabilities, sensory impairments, limiting long-term illnesses, learning	The tennis courts are there to improve people's health and wellbeing.	Online booking system to access the courts	Offer open use sessions which are free Contact via telephone is can't access online weekdays 9-5

Protected groups	Positive effects	Negative effects	Potential Improvement Actions
disabilities or mental health issues			
Race / ethnic groups			
Women or men			
Sexual orientation			
Religion or belief (including non-belief)			
Transgender (including people planning to or going through gender reassignment)			
Pregnancy and maternity (including maternity and paternity leave)			
Marital status (including civil partnership & same sex marriage)			

5a. Are there any local priority groups / factors which should be considered?

Other factors	Positive effects	Negative effects	Improvement actions
Rural areas			
Poverty / deprivation		Implemented cost to the courts and an online booking system	Offer open use sessions which are free Consider concessionary price feasibility

6. Commissioned / outsourced services

Is your policy, practice, service or function partly or wholly provided by any external organisation / agency?	Yes Club Spark webpage
If yes, please list any contractual or other arrangements which aim to ensure that the provider promotes equality and diversity (e.g. <i>monitoring data</i>)	<p>A court maintenance schedule shall be implemented to ensure that the:-</p> <ul style="list-style-type: none"> • Playing surface is kept clean to preserve its playing characteristics. • Free drainage of surface water is maintained throughout the life of the court. • Court looks attractive and well cared for at all times and achieves a reasonable life span. • Court is kept to a standard that tennis can be played at all times. • Signage is kept in good condition at all times. <p>These objectives shall be achieved by measures including:-</p> <ul style="list-style-type: none"> • Making repairs to (and replacing and/or renewing, as necessary) courts and nets as required to maintain the court playing characteristics at all times. • Regular sweeping or vacuuming leaves and other debris from the surface. • Periodic power washing of the surface. <p>The gate access will be in place for a minimum of 5 years.</p>

7. Summary

Use this space to summarise key data and its implications, the key issues to be addressed, potential actions to address them and any other points relevant to the Policy/service.

The tennis courts in Hall Leys Park Matlock are being fully funded by the Lawn Tennis Association to be resurfaced. Along with this fully funded upgrade is the introduction of a gated entry system which requires online booking and payment to use the courts. This is a recommendation from the LTA who are funding a number of tennis courts across the country.

There will be open free sessions to use the courts and a range of sessions for anyone to access.

8. Improvement Plan

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Key issues identified	Actions
Cost (£6 fee per court per hour)	Consider concessionary option
Access for the gates (pin code access)	Design and positioning of the code access gate to be investigated. This is the standard gate and access code point that the LTA use across all of their projects nationally.

PLEASE FORWARD THE COMPLETED FORM TO THE POLICY MANAGER / POLICY OFFICER (Consultation & Equalities)

Signed _____ *R Cummins* _____ (Completing Officer)

Agenda Item 9

Governance and Resources Committee – 16 February 2023

FEES AND CHARGES FOR 2023/24

Joint Report of the Director of Resources, Director of Community and Environmental Services, Director of Regulatory Services and Director of Corporate and Customer Services

Report Authors and Contact Details

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Wards Affected

District Wide

Report Summary

This report seeks approval for proposed fees and charges for 2023/24 in respect of Community and Environmental Services, Corporate and Customer Services and Regulatory Services.

Recommendation

1. That the fees and charges recommended in Appendices 1 – 13 of the report are approved and implemented with effect from 1 April 2023, or as soon as practicable thereafter.
2. Subject to the approval of the Clean & Green Review report, which is due to be presented to Council in March, any required amendments to the fees and charges will go to the relevant policy committee meeting to approve changes.

List of Appendices

Schedules of Proposed Fees

Appendix 1	Pest and Dog Control
Appendix 2	Waste and Recycling
Appendix 3	Cemeteries
Appendix 4	Agricultural Business Centre – Room Hire
Appendix 5	Stall Markets and Farmers’ Markets
Appendix 6	Parks, Recreation Grounds and Public Spaces
Appendix 7	Car Parks
Appendix 8	Events
Appendix 9	Corporate Services
Appendix 10(a)(b)(c)	Environmental Health
Appendix 11	Licensing
Appendix 12	Estates and Facilities
Appendix 13	Planning Pre-application Advice

Background Papers

None

Consideration of report by Council or other committee

Not applicable

Council Approval Required

No

Exempt from Press or Public

No

Fees and charges for 2023/24

1. Background

- 1.1 The Committee is asked to consider an annual review of the fees and charges for services provided across the Council.
- 1.2 In recent years fees and charges have been increased, in general, by an amount that slightly exceeds inflation rates at the time. Charging above the current rate of inflation will generate higher levels of income in real terms (assuming no significant customer resistance) and will assist in balancing the budget for 2023/24 given the significant inflationary increases on Council spending.
- 1.3 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 this report. The usual practice is to inflate fees and charges for the coming year by slightly more than the current CPI e.g. around 10%. 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 have used their knowledge of their services and customers to set the proposed fees and charges.
- 1.4 Where officers have recommended fee increases of more than 5% or that fees be frozen at the 2022/23 level, an explanation has been provided in the report.
- 1.5 Appendices 1 – 13 contain schedules of the existing and recommended charges.

2. Report for 2023/24

2.1 Community and Environmental Services

Appendix 1 details the existing and proposed fees and charges for Pest Control and Stray Dog Service. The recommended fees for dog control include an increase of 10%. The fee increase reflects the increased cost of looking after stray dogs and it is recommended that this is passed on to owners.

The Pest Control service remains suspended since the pandemic as it requires further benchmarking and will be discussed as part of the Clean and Green Review. The previous costs meant the Council operated the service at a loss which is something the review team will be assessing against other local authorities and the private sector.

Appendix 2 details charges for waste and recycling collections. The recommended fees include an increase of around 4% with the following exceptions:

- It is proposed that subscriptions to the Garden Waste Collection Service be retained at £50.00, which was the price agreed by Members in 2019.

Subscribers paid a reduced fee of £35 in 2022/23 to reflect historic service disruption.

- It is proposed that the charges for bulky collections should increase by 13.4% to reflect the charge that the Council receives from Serco. The increase means the Council will not continue to subsidise this service. Due to the large increase in cost these fees do not include administration costs or any other overhead costs incurred by the Council.
- The charge for a replacement 240l green wheeled bin (if the household has a current subscription) will increase by 56% from £16.70 to £26.00 to bring it in line with the supplier's charges.

Appendix 3 details the existing and recommended fees and charges in respect of cemeteries and burials. The recommended fees include an increase of 5%.

A new Memorial Bench Policy is due to be presented to the Community and Environment Committee on the 9th February, which includes new fees relating to the cost to purchase the bench, administration and installation and costs for the relevant plaques. If the new policy is approved, these costs are to commence from April 2023.

Appendix 4 details the existing and recommended fees and charges in respect of room hire at the Bakewell Agricultural Business Centre. The recommended fees include an increase of 5% with the exception of the Conference Room hire.

It is proposed that the conference room hire fee is frozen at the current price as this has been highlighted as a key area that could help the ABC to increase bookings. The team plan to improve the offer available to conference room hirers including improved Wi-Fi, refreshments, heating and competitive pricing.

The ABC no longer hires out Meeting Room 1 as this is now included within Bagshaw's lease. The proposal is that those prices convert to hire of the conference room for less than 20 occupants, again to offer a competitive price for hire requests for small amounts of attendees.

Appendix 5 details the existing fees and charges and those recommended for approval with effect from 1st April 2023 in respect of Bakewell stall market and Famers' Market.

In December 2022 a price comparison exercise was undertaken to compare the 2022/23 pricing structure with mix of local and similar occupancy level markets. The results are shown in the table below:

Market	Stall size	Price	Stall Set up
Bakewell	9ft/12ft	£26.30/£34.20 Erected	Erected
Chesterfield	8ft/12ft	£9.70 - £20.10 Fixed	Fixed
Ormskirk	10' x 4'	£27.50	Self-erect

Louth	10ft	£15.00	Erected
Loughborough	10ft	£25.00	N/A
Retford	10ft	£14.50	Erected
Stamford	10ft	£23.85	Erected
Beverley	12ft	£25.00	Self-erect
Beverley	12ft	£54.00	Erected

- It is proposed that market stall rents are again frozen for 2023/24 to help retain and offer some support to current traders and encourage new traders. Bakewell Monday Stall Market and monthly Farmers Market continue to be successful markets even though they have seen a decline in trader numbers since the pandemic. Based on the price comparison above Bakewell Market is one of the more expensive markets though still competitive based on the size of market, which might not be the case in rents were to increase. A number of the markets above have also frozen their prices over the last few years.
- It's apparent from talking to traders at our own markets, other markets and the National Market Traders Federation that the cost of living crisis is effecting traders both in terms of their costs (travel, stock) and customer spend which is resulting in a decline in market traders.

Appendix 6 details the existing fees and charges and those recommended for approval with effect from 1st April 2023 in respect of parks, recreation grounds and public spaces. Most of the recommended fees include a 5% increase.

There is a 10% increase on the Bowling Green fees due to the rising costs of the maintenance on the green and the current charge is very low. The fee will also be changed from 'per match' to 'per hour'; this is due to a match lasting up to 5 hours and it isn't viable to continue charging this way.

There is an introduction of a new fee which is for Hall Leys Park tennis courts, hire of a single court per hour. This is on the proviso that the planned project working in partnership with the Lawn Tennis Association to fully fund and resurface the tennis courts goes ahead. The fee is recommended by the Lawn Tennis Association.

Fixed Penalty Charge Notices for breaches of the Public Spaces Protection Order and Littering offences which is part of the Environmental Protection Act 1990 have now been included in the fees & charges.

Leisure Centres

Under the terms of the contract with Freedom Leisure, responsibility for setting fees and charges for leisure centres transferred to them from 1 August 2018. The next price increase is due in April 2023 once approved by the District

Council's Contract Manager. At the time of writing this report details of these price increases had not been received.

Appendix 7 outlines fees relating to car parking permits, passes and season tickets.

- An increase of 5% is recommended for annual permits for "residents only" car parks;
- A 10% increase is proposed for season tickets and for replacement or second Residents Free Parking Concession badges;
- It is proposed that the charge for a 3 day Rover pass should be increased by 37.61% to £15 and that the charge for a 7 day Rover pass should be increased by 25% to £32 to reduce historic subsidisation.

The car parking charges are currently been reviewed by the Car Parking Member Group and any changes will be reported to Council later in the year.

CCTV footage requests from Insurance Companies or Solicitors are currently provided free of charge; proposals are to charge for this work from April 2023.

Appendix 8 outlines fees relating to events. An increase of 5% is recommended.

The fees for Matlock Bath Illuminations will be discussed and agreed by the Illuminations working group, with fees recommended to the relevant committee at a later date.

2.2 Corporate and Customer Services

Appendix 9 details the current fees and charges and those recommended for the various streams within Corporate and Customer Services.

For Local Land Charges, the level of fees charged by the District Council must also accord with the Local Authorities (England) (Charges for Property Searches) Regulations 2008. The Regulations specify that the charge made in connection with a property search must not amount to more than the actual cost of providing the service. Increases of 4% are recommended except for charges for Con29R and Con29O, which are not subject to regulations and it is proposed to increase these by 10% in line with inflation.

Charges for legal services have been reviewed and brought up to date. Some fees for S106 obligations have been frozen but most proposed fees are being increased by an average of 5%.

The fee for authorising proof of life for overseas pensioners is recommended to increase by 10.3% from £29.00 to £32.00. This is a discretionary service and the proposed increase reflects inflation and will not reduce the number of individuals wishing to take advantage of the service.

The proposed fees and charges for street naming and numbering and Section 106 Monitoring have been increased by 10% to reflect inflation; fees for road closures are recommended to be increased by 4.3% to 4.6%.

2.3 Regulatory Services

Appendix 10 details the existing fees and charges and, those recommended for approval with effect from 1st April 2023 in respect of food hygiene, private sector housing and private water supplies. Recommended fees have been increased by 5%.

Appendix 11 details the existing fees and charges and, those recommended for approval with effect from 1st April 2023 in respect of licensing. It is proposed that all-locally set licensing fees should be increased by 5%. In addition, new fees are suggested to cover the costs of the proposed permanent pavement licensing regime, to recognise the establishment of a contract only private hire vehicle business stream (school and community contracts) and an administration fee where taxi licence applications are processed but are not issued.

Appendix 12 sets out a proposed schedule of charges for the services provided by our Estates and Facilities Team. It is proposed that these charges be increased by 5%. The Council offers a reduction in these fees where the work relates to temporary installations on District Council land by town and parish councils and no charge is levied in relation to work on community asset transfers or emergency works licences.

Appendix 13 sets out fees for Planning Pre-application Advice. An increase of 5% is recommended to cover the additional costs (based on the average salary settlement) of providing this service.

3. Options Considered and Recommended Proposal

- 3.1 A range of fee increases was calculated for consideration (from 1% to 10% in 1% increments) for all fees and charges. Service managers also considered other options for their services where appropriate, including freezing fees at the 2022/23 level. When considering significant increases, service managers haven't taken account of potential customer resistance, especially given the current cost of living crisis.
- 3.2 One option would be to freeze all fees and charges at the 2022/23 level. However, that would not reflect the increased costs that the Council faces where fees are intended to cover costs. Increasing fees and charges will contribute towards balancing the budget for 2023/24 and achieving a sustainable financial position.

4. Consultation

- 4.1 The fees will be publicised after approval by this committee.

5. Timetable for Implementation

- 5.1 The proposed fees are due to be implemented with effect from 1 April 2023, or as soon as practicable thereafter (e.g. from Monday 3rd April).

6. Policy Implications

- 6.1 The Council charges fees to cover the cost of some of the services that are provided to make progress in delivering its Corporate Priorities.

7. Financial and Resource Implications

- 7.1 The proposed increases are mostly in the range of 0% to 10%, with most being around 5%. In March 2022, the Council approved a corporate savings target to make savings or generate additional revenue income to close a funding gap of £250,000 p.a. in the short to medium term. The funding gap is expected to increase significantly from 2023/24 due to inflationary pressures and expected reductions in government grants. Increasing fees and charges will contribute towards closing the funding gap.

- 7.2 It should also be acknowledged that inflation is expected to remain at high levels until at least June 2023. The Bank of England expects inflation to fall back from the middle of 2023 towards their 2% target in 2024.

- 7.3 Income resulting from the recommended revised fees and charges will be included in the draft revenue spending proposals for the financial year 2023/24 to be considered at the (budget setting) meeting of the full Council on 2 March 2023.

- 7.4 As some fees have been frozen and most of the others increased by 4% to 5% (though some have been increased by 10% - the current rate of inflation), it is hoped that customer resistance to the proposed fees will not be significant (see paragraph 11.1 below).

- 7.5 The financial risk is therefore assessed as low.

8. Legal Advice and Implications

- 8.1 This report seeks approval for proposed fees and charges for 2023/24 in respect of Community and Environmental Services, Corporate and Customer Services and Regulatory Services.

- 8.2 Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to provide and charge for recreational facilities in its area.

- 8.3 Section 93 of the Local Government Act 2003 enables the Council to charge for a discretionary service where the recipient agrees to its provision. The Council

is afforded ability to charge by statute. This report is updating those fees and charges.

- 8.4 The 2 recommended decisions to be made connected to this report are to (1) to implement the new fees and charges and (2) in relation to the forth coming Clean and Green review. Therefore the risk in relation to the report's recommendations has been assessed at the current time as low.

9. Equalities Implications

- 9.1 When considering equalities implications for the Council, as well as protected characteristics, we consider the higher levels of poverty experienced by some residents in this rural area due to high cost, poor quality housing stock, and the lower than average earnings. Increases in fees will impact on the ability of some residents to access services, particularly where fee increases are above inflation. Wages and benefits have not increased with inflation.

- 9.2 An Equality Impact Assessment [EIA] has been completed for the memorial bench policy change. Other EIAs will be completed as reports are prepared.

10. Climate Change Implications

- 10.1 There are no perceived climate change impacts of the changes to fees and charges recommended in the report.

11. Risk Management

- 11.1 There is a risk that the proposed fee increases may result in customer complaints and higher levels of resistance than expected, leading to a shortfall in income against budget. It is hoped that this risk is mitigated by managers taking customer resistance into account when setting proposed fees. Therefore, this risk is assessed as low.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	07/02/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	07/02/2023
Legal Services Manager	Kerry France	07/02/2023

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PEST AND DOG CONTROL

DOG CONTROL	Existing Charge 2022-2023 £	Proposed Charge 2023-2024 £ Outside the scope of VAT
These charges are plus Vet's Fees if necessary, and VAT on Vet's Fees.		
STRAY DOGS Penalty for stray dogs collected or returned by Dog Warden	62.10	68.30
Above penalty charge plus kennel fees as follows:		
Each day or part day	16.90 Daily kennel fee (or part day)	18.60 Daily kennel fee (or part day)
Dog Chipping (New service)	15.00	16.50

The **pest control** service is currently suspended. Fees and charges will be reviewed as part of the "Clean & Green Review".

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WASTE AND RECYCLING

The following fees are outside the scope of VAT

HOUSEHOLD WASTE	Existing Charge 2022-23 £ (concessions in brackets)	Proposed Charge 2023-24 £ (concessions in brackets)
Bulky waste collections		
Up to 3 items	36.15	41.00 (no concessions)
Up to 6 items	72.30	82.00 (no concessions)
Electrical item One item	36.15	41.00 (no concessions)
Electrical items 2-3 items	72.30	82.00 (no concessions)
COMPOSTING	Existing Charge 2022-23 £	Proposed Charge 2023-24 £
Subscription to the Garden waste service (per subscription) Bags or bins	50.00 Residents who subscribed to the service on or before 31 December 2021 received the 2022/23 subscription at a reduced rate of £35, to compensate for the service disruption in the current financial year.	50.00
WHEELED BINS FOR NEW PROPERTIES		
140 litre grey wheeled bin, blue lidded bin and food caddies.	22.40	23.50
240 litre grey wheeled bin, blue lidded bin and food caddies.	27.85	29.00
WHEELED BINS – REPLACEMENTS		
140 litre grey wheeled bin replacement.	22.40	23.50
240l grey wheeled bin replacement (if qualify)	27.85 61	29.00

240l green wheeled bin replacement (if they have a current subscription)	16.70	26.00
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TRADE WASTE		Existing Charge 2022-2023	Proposed Charge 2023-2024
GREEN SACKS			
Per pack of 25		74.75	77.50
Trade waste: Recycling sacks per 25		50.00	On hold – service not yet live
WHEELED BINS			
Commercial Per lift:	1100 litre capacity	20.10	21.15
	660 litre capacity	13.90	14.50
	360 litre capacity	9.20	9.50
	240 litre capacity	7.30	7.60
Schools & Not-for-profit Organisations NB Collection charge only per lift:	1100 litre capacity	10.20	10.60
	660 litre capacity	8.80	9.10
	360 litre capacity	6.20	6.40
	240 litre capacity	5.90	6.10

The following charges are subject to VAT:

COMMERCIAL WASTE			
CLINICAL WASTE	Existing Charge 2022-2023 inclusive VAT £	Proposed Charge 2023-2024 exclusive of 20% VAT £	Proposed Charge 2023-2024 inclusive of 20% VAT and rounded £
Collection of each yellow sack per annum	595.15	516.67	620.00

CEMETERIES

These charges apply to purchasing the Exclusive Right of Burial (including ashes) before or after death of a resident in the Derbyshire Dales District Council area and in the case of a stillborn child where one of the parents was resident at the time of interment.

Double Fees

Where the Exclusive Right of Burial is purchased for a non-resident of the Derbyshire Dales, fees for all services will be doubled ie for all interments; for the Right to Erect a Memorial; for the right to fix plaques or reserve spaces in a Garden of Remembrance; for the erection of memorials and for additional inscriptions. The fees will not be doubled where the Exclusive Right of Burial was purchased at the single fee at an earlier date. The appropriate Officer of the Council has the discretion to waive these double fees when there are grounds to do so, i.e. past residency in the District or other connections.

(NB: All fees for cemeteries fall outside the scope of VAT, with the exception of the supply of slabs and plaques)

EXCLUSIVE RIGHT OF BURIAL	Existing Charge 2022/2023 £	Proposed Charge 2023/2024 £
Earthen Graves		
For the exclusive right of burial for a period not exceeding 100 years:		
a) grave size 2.4m x 1.2m	689.75	724.25
b) grave size 2.4m x 2.4m	1297.90	1362.80
Garden of Remembrance		
For the exclusive right of burial of cremated remains for a period not exceeding 100 years, in an earthen grave not exceeding 450mm x 600mm	222.10	233.25

INTERMENTS

The fees indicated:

- a) include the digging of the grave;
- b) apply only where the interment is made between the hours of:
 - 9:30am – 1.30pm, Mondays – Thursdays;
 - 9.30am – 12.30pm, Fridays (excluding Bank and public holidays)';
 - Additional fee for outside the above hours will apply.
 - or on the certificate of a Coroner or Registered Medical Practitioner that immediate interment is necessary.
- c) Apply provided that the interment is made within fifteen minutes of the time arranged with Derbyshire Dales District Council. If not, an additional charge of **£17.25** (£16.40 in 2022/23) is payable per fifteen minutes

INTERMENT IN ANY GRAVE	Existing Charge 2022/2023 £	Proposed Charge 2023/2024 £
All of the following fees for cemeteries fall outside the scope of VAT, unless stated		
a) of the body of a stillborn child or of a child whose age at the time of death did not exceed one month .	No charge	No Charge
b) of the body of a child whose age at the time of death exceeded one month but did not exceed 16 years .	122.30	128.45
c) of the body of a person whose age at the time of death exceeded 16 years .	774.50	813.25
Interment of cremated remains	163.00	171.15
Turfing of grave after interment on request	51.45	54.10
SCATTERING OF ASHES		
In the case of purchased graves, or in the Garden of Remembrance: Fee for right to scatter ashes	57.40	60.30
LONG-TERM MEMORIALS IN GARDENS OF REMEMBRANCE		
Please Note: Within the designated lawn sections, only one stone vase or block is permitted per plot, not exceeding 200mm in height and 200mm in width.		
Right to Erect a Memorial on a grave for cremated remains with respect to which an exclusive right of burial has been granted	74.55 Incl VAT	78.30 Incl VAT
Supply of a memorial plaque (150mm x 75mm) at ground level including fixing (cost of plaque to be added)	74.55 Incl VAT (plus cost of plaque and VAT)	78.30 Incl VAT (plus cost of plaque and VAT)
Supply of a stone slab level with the surrounding ground for the fixing of a memorial plaque including installation	95.50 (incl VAT)	100.30 (incl VAT)
Supply of a memorial plaque (150mm x 75mm) for the memorial wall, including fee for space and fixing (cost of plaque to be added)	74.55 Incl VAT (plus cost of plaque and VAT)	78.30 Incl VAT (plus cost of plaque and VAT)

LONG-TERM MEMORIALS IN GARDENS OF REMEMBRANCE	Existing Charge 2022/2023 £	Proposed Charge 2023/2024 £
Reservation of up to 3 plaque spaces under the first plaque on the memorial wall (fee per space)	19.40	20.40
Permission for erection of a vase not exceeding 300mm in height, including first inscription	74.55	78.30
Permission for kerb or border stones enclosing a space not exceeding 450mm x 600mm including first inscription	74.55	78.00
Permission for each inscription after the first on vases, kerbs, border stones, etc.	56.90	59.75
LONG-TERM MEMORIALS ON EARTHEN GRAVES		
Please Note: Within the designated lawned sections, the only long-term memorial permitted on a grave is a single headstone.		
Right to Erect a Memorial on a grave in respect of which an exclusive right of burial has been granted	184.00	193.20
Permission for a memorial headstone not exceeding 1 metre in height and 900mm in width, and including the cost of the foundation already provided	266.00	279.30
Permission for a memorial headstone not exceeding 1 metre in height and 900mm in width, in those areas where no concrete foundation is provided	85.80	90.09
Permission for a flat stone or tablet, level with surrounding ground not exceeding 2.4m x 1.2m, including first inscription	91.10	95.70
Permission for kerb or border stones enclosing a space not exceeding 2.4m x 1.2m, including first inscription	156.60	164.45
Permission for a vase not exceeding 300 mm in height, including first inscription	74.55	78.30
Permission for each inscription after the first	68.15	71.60

ASSISTED BURIALS	Existing Charge 2022/2023 £	Proposed Charge 2023/2024 £
Standard Charge (Minimum)	509.50	535.00
RECORD SEARCHES		
Record Searches	17.00	17.85
MEMORIAL BENCHES (NEW)	Existing Charge 2022/2023 £	Proposed Charge 2023/2024 £
Memorial Bench	NA	£537.25
Installation and administration	NA	£450.00
Plaque 100x50	NA	£51.95
Plaque 150x50	NA	£56.95
Plaque 125x75	NA	£62.00
Plaque 150x75	NA	£67.05
Installation of New Plaque	NA	£50.00

AGRICULTURAL BUSINESS CENTRE: ROOM HIRE

Livestock Markets and Farmers' Markets	Existing Charge 2022-2023 inclusive VAT	Proposed Charges 2023-2024 exclusive 20% VAT	Proposed Charges 2023-2024 inc. of 20% VAT & rounded
	£	£	£
Conference Room			
Hire per Day	272.20	226.83	272.20
Hire per Half Day	141.00	117.50	141.00
Hire per Hour	45.80	38.17	45.80
Hire per Evening/Weekend	20% applied to charges for half day/full day		
Maximum discount for non-commercial local organisations 40%			
Conference Room under 20 attendees			
Hire per Day	141.00	117.50	141.00
Hire per Half Day	72.80	60.67	72.80
Hire per Hour	22.90	19.08	22.90
Hire per Evening/Weekend	20% applied to charges for half day/full day		
Maximum discount for non-commercial local organisations 40%			
Meeting Room 2			
Hire per Day	71.00	62.13	74.55
Hire per Half Day	36.80	32.21	68.65
Hire per Hour	13.90	12.17	14.60
Hire per Evening/Weekend	20% applied to charges for half day/full day		
Maximum discount for non-commercial local organisations 40%			
Concourse			
Hire per Day	272.20	238.17	285.80
Hire per Half Day	141.00	123.38	148.05
Hire per Hour	45.80	40.08	48.40
Hire per Evening/Weekend	20% applied to charges for half day/full day		
Trade Display on Market Day	36.80	32.21	38.65
Maximum discount for non-commercial local organisations 40%			

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STALL MARKETS AND FARMERS' MARKETS

(All Stall Market charges are exempt from VAT)

Bakewell Stall Market	Existing Charge 2022/23 £	Proposed Charge 2023/24 £
Bakewell Market		
9ft Stall	26.30	26.30
12ft Stall	34.20	34.20
Butcher's Lorry	77.20	77.20
Fast Food Catering Trailer	38.50	38.50
Hot Drinks Trailer	34.20	34.20
Charges per additional foot	3.90	3.90

CASUAL TRADERS		
(stall fee as above to be added to this fee)	5.00	5.00
CHARITY MARKET STALL – NOT FOR PROFIT ORGANISATIONS		
Hire of stall	8.90	8.90
TRADER PARKING		
Parking for Stall Market Traders (per vehicle)	4.20	4.20

Bakewell ABC Farmers' Markets	Existing Charge 2022-2023 inclusive VAT	Proposed Charges 2023-2024 exclusive 20% VAT	Proposed Charges 2023-2024 inc. of 20% VAT & rounded
	£	£	£
Farmers' Market Stalls			
4.5 foot stall	17.70	14.75	17.70
6 foot stall	22.30	18.58	22.30
9 foot stall (Standard)	35.00	29.17	35.00
12 foot stall	44.80	37.33	44.80
2 foot extension table	4.80	4.00	4.80
Farmers' Market Parking			
Parking for Farmers' Market Traders (per vehicle)	4.20	3.50	4.20

PARKS, RECREATION GROUNDS AND PUBLIC SPACES

ACTIVITY	Existing Charge 2022-23 inclusive of VAT where applicable £	Proposed Charge 2023-2024 exclusive of 20% VAT £	Proposed Charge 2023-2024 inclusive of 20% VAT and rounded £
Tennis Court / Multi Use Games Areas - [VAT applicable]			
Hire of single tennis court/MUGA per hour			
Full	8.35	7.33	8.80
Concession	4.25	3.79	4.55
Hire of double tennis court/double MUGA per hour			
Full	16.40	14.33	17.20
Concession	8.35	7.33	8.80
NEW – Hire of single tennis court in Hall Leys Park Matlock per hour			
Special	NEW	5.00	6.00
Bowling Greens [VAT applicable]			
Reservation per club per hour			
Full	7.20	6.58	7.90
Full Concession	3.70	3.38	4.05
Season Ticket			
Full	51.35	47.08	56.50
Full Concession	25.60	23.46	28.15
Lease per season of Bakewell Bowling Green			
Special	117.20	Exempt from VAT	123.06
Sports Pitches and Pavilions [VAT applicable]			
Football and Rugby - Hire of pitch per match (inc marking out, preparation & use of pavilion) (inc marking out, preparation & use of pavilion)			
Full	49.28	43.13	51.75
Concession	26.80	23.46	28.15
Cricket - Hire of pitch per match (inc marking out, preparation and use of pavilion)			
Full	52.60	46.04	55.25
Concession	26.80	23.46	28.15
Football and Rugby - Hire of Pitch, per hour for Training (inc pavilion)			
Full	38.60	33.79	40.55
Concession	20.40	17.83	21.40
Pavilion - Hire of pavilion (inc changing rooms)			
Full	16.30	14.25	17.10
Concession	8.35	7.33	8.80
Croquet Lawn - Hire of Croquet Lawn (inc marking out, preparation and use of pavilion)			
Full	25.30	22.17	26.60
Concession	12.60	11.04	13.25
Artificial Cricket wicket - Hire of Artificial Cricket Wicket per match (inc use of pavilion)			
Full	37.00	32.38	38.85
Concession	18.35	16.08	19.30
ASHBOURNE RECREATION GROUND - FOOTBALL AND RUGBY PITCH - Hire of pitch per match (inc marking out, preparation) - no pavilion			
Full	33.00	28.88	34.65
Concession	18.45	16.17	19.40
ASHBOURNE RECREATION GROUND - FOOTBALL AND RUGBY PITCH - Hire of Pitch, per hour for Training - no pavilion			
Full	22.30	19.50	23.40
Concession	12.05 ¹	10.54	12.65

FIXED PENALTY NOTICES (NEW)	Existing Charge 2022/2023 £	Proposed Charge 2023/2024 £
Public Spaces protection Order – if paid within 14 days	N/A	£100
Public Spaces protection Order – if paid within 12 days	N/A	£75
Environment Protection Act 1990 (Littering) – if paid within 14 days	N/A	£100
Environment Protection Act 1990 (Littering) – if paid within 12 days	N/A	£75

CAR PARKS

	Existing Charge 2022-2023 inclusive VAT £	Proposed Charge 2023-2024 exclusive of 20% VAT £	Proposed Charge 2023-2024 inclusive of 20% VAT £
Discount Season Ticket by Zone – 6 months	252.40	231.37	277.65
Discount Season Ticket by Zone – 12 months	504.80	462.73	555.30
Discount Season Ticket District Wide – 6 months	315.50	289.21	347.05
Discount Season Ticket District Wide – 12 months	631.00	578.42	694.10
Rover Pass - 3 Day	10.90	12.50	15.00
Rover Pass - 7 Day	25.60	26.67	32.00
Annual Permit for Residents Only Car Park - Full	355.00	310.63	372.75
Annual Permit for Residents Only Car Park – Daytime (08.30–17.30) weekdays	206.10	180.34	216.40
Annual Permit for Residents Only Car Park – Evening/weekend – all hours outside those covered by the 'Daytime Permit'	159.80	139.83	167.80
Annual Permit for Residents Reserved Bay <i>(to be phased out by April 2021 – C&E Minute 242/1)</i>	355.00	310.63	372.75

	Existing Charge 2022-2023 inclusive VAT £	Proposed Charge 2023-2024 exclusive of 20% VAT £	Proposed Charge 2023-2024 inclusive of 20% VAT £
Replacement or second Residents Free Parking Concession Badge – if purchased <u>before</u> 1 st October (Fixed Price)	60.00	55.00	60.00
Replacement or second Residents Free Parking Concession Badge – if purchased <u>from</u> 1 st October (Fixed Price)	40.00	36.67	40.00

*The base rates 2018 were set by the Community & Environment Committee on 5 December 2017 and are (with the exception of Residents Free Parking Concession Badges) to be subject to annual fees and charges review.

	Existing Charge 2022-2023 £	Proposed Charge 2023-2024 inclusive of 20% VAT £
Supply of CCTV Footage	NA	100.00

EVENTS

	Existing Charge 2022-2023 inclusive of 20% VAT £	Proposed Charge 2023-2024 exclusive of 20% VAT £	Proposed Charge 2023-2024 inclusive of 20% VAT and rounded £
OPENING, CLOSING AND CLEANSING OF PUBLIC TOILETS Free during normal working hours			
Charge for each additional hour outside normal working hours: After 3:30pm Monday to Friday, or Saturdays	28.80	25.21	30.25
Charge for each additional hour outside normal working hours: Sundays or Bank Holidays	35.50	31.08	37.30
EMPTYING LITTER BINS AND LITTER PICKING			
During working hours : Charge per person per hour.	22.80	19.96	23.95
Charge for each person per hour outside normal working hours: After 3:30pm Monday to Friday, or Saturdays	30.90	27.04	32.45
Charge for each person per hour outside normal working hours: Sundays or Bank Holidays	39.10	34.21	41.05
HIRE OF WHEELED BINS			
Hire of wheeled bin per week plus cost of delivery, collection and washing	13.30 Minimum charge £199.80	11.67 Minimum charge £174.83	14.00 Minimum charge £209.80

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CORPORATE AND CUSTOMER SERVICES

LOCAL LAND CHARGES

Charge	Existing 2022/23	Proposed 2023/24
Official Search Fee (LLC1 + Con29R)	£128.80	£134.00
LLC1 only	£31.00	£32.25
Con29R	£94.80	£104.00
Con 29O (per question)	£12.00	£13.20
Additional Parcel of Land	£13.20	£13.75
Written enquiries (solicitors own questions)	£14.40	£15.00
Personal Search of the Register	£0	£0

LEGAL

Charge	Existing 2022/23	Proposed 2023/24
Authorising proof of life for overseas pensioners	£29.00	£32.00
Planning Obligations - S.106 Fees	<p>The agreements are drafted and finalised externally. The estimated fee per agreement is £2000.</p> <p>All fees are based on the following hourly rates:</p> <p>Partner - £160 Senior Solicitor - £145 Associate - £135 Solicitor - £125 Trainee - £90</p> <p>The agreements are drafted and finalised internally. The estimated fee per agreement is £1000 minimum. Charging rate £160 p/h</p> <p>Disbursements are charged separately.</p>	<p>The agreements are drafted and finalised externally. The estimated fee per agreement is £2000.</p> <p>All fees are based on the following hourly rates:</p> <p>Partner - £160 Senior Solicitor - £160 Associate - £135 Solicitor - £125 Trainee - £90</p> <p>The agreements are drafted and finalised internally. The estimated fee per agreement is £1000 minimum. Charging rate £160 p/h</p> <p>Disbursements are charged separately.</p>

Charge	Existing 2022/23	Proposed 2023/24
Planning Obligations S.106 Discharge	£396	£415
Planning Obligations S.106 Deed of Variation	£396	£415
Easements, Covenants and one off Deeds	£385.50	£405
Commercial Licences to occupy Council Land	£276.35	£290
Licences to occupy Council Land for community benefit	£82.50	£87
Legal fee earning rate per hour	£160.00	£160
Leases and renewals	£385.50 plus £160 p/h after 5 hours	£405 plus £160 p/h after 5 hours
Licences to assign, sublet, carry out works under a Lease	£332	£349
Emergency work licences relating to Public Safety	Nil	Nil
Sales of Council Land, Sales by Land by Tender and Sales of Land by Auction	Maximum of 1.5% of the sale price (subject to minimum of £483.30)	Maximum of 1.5% of the sale price (subject to minimum of £)
Transfer of land for affordable housing at nil consideration in exchange for nomination rights	£535.80 and £160 p/h after 5 hours	£563 and £160 p/h after 5 hours
Temporary (<1 year) installations on Council Land by Town or Parish Councils	Reduction of 33% of standard fee	Reduction of 33% of standard fee
Community Asset Transfers	Nil charge	Nil charge
Footpath Diversion Orders	<p>Unopposed Order Preparation of Order £1,554.90 Plan £171.30 Actual advertising costs £748 (estimate incl VAT) Total £2,474.20</p> <p>Opposed Orders £2474.20 (As above) plus Consultant's fee at £160 per hour for time spent:</p> <ul style="list-style-type: none"> • dealing with objections, representations and associated correspondence • negotiating to resolve objections • submitting the order to the Planning 	<p>Unopposed Order Preparation of Order £1,633 Plan £180 Actual advertising costs £790 (estimate incl VAT) Total £2,603</p> <p>Opposed Orders £2,603 (As above) plus Consultant's fee at £160 per hour for time spent:</p> <ul style="list-style-type: none"> • dealing with objections, representations and associated correspondence • negotiating to resolve objections • submitting the order to the Planning

	<p>Inspectorate where objections are maintained and preparing the statement of case</p> <ul style="list-style-type: none"> liaison with the Planning Inspectorate and representing the Council in the determination of the case by means of a hearing, public inquiry or written representations. 	<p>Inspectorate where objections are maintained and preparing the statement of case</p> <ul style="list-style-type: none"> liaison with the Planning Inspectorate and representing the Council in the determination of the case by means of a hearing, public inquiry or written representations.
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ROAD CLOSURES

Charge	Existing 2022/23	Proposed 2023/24
Events where there is a charge for participation or for spectators	£65.00	£68.00
Events that primarily benefit businesses or other commercial organisations	£65.00	£68.00
Carnivals/fetes or any other events that raise funds through collections/donations	£23.50	£24.50
Remembrance/well dressing or other commemorative parades	£0	£0

STREET NAMING AND NUMBERING

Charge	Existing 2022/23	Proposed 2023/24
Allocate a house name, rename or remove a house name to an existing property	£60.00	£66.00
Change a company name on a property		
Allocate a house number, renumber or remove a house number of an existing property		
Naming or renaming of new streets and numbering or renumbering new / existing properties on that street	£179.50	£197.50
Naming of new streets at resident's request	£358.90	£394.80

Charge	Existing 2022/23	Proposed 2023/24
Naming and numbering of new properties or properties on an existing street:		
1 property	£89.70	£98.70
2 – 5 properties	£120.00	£132.00
6 – 10 properties	£179.50	£197.50
11 – 25 properties	£240.00	£264.00
26 – 50 properties	£298.40	£328.30
51 – 100 properties	£477.90	£525.70
101+ properties	£895.20	£984.70
Division of Properties – same as numbering of new properties (and based on number of properties created including the original)	See above	See above
Confirmation of address to solicitors / conveyancers / occupiers or owners (<i>Royal Mail – external confirmation</i>)	£30.80	£33.90
Renumbering of scheme following development re-plan (after notification of numbering scheme issued)	£120.00 + £13.00	£132.00 + £14.30
Address issued / confirmation when replacement property built (as the original address will have been removed following the demolition as address may be different to original property) reactivation of address	£60.00	£66.00
1 st Set of Nameplates erected for each new Street	£261.30	£287.50
If two nameplates required	£366.40	£403.00
For each additional nameplate that is required to be erected at other junctions and entrances onto the new street	£120.00	£132.00
Challenges / requests / revisions to existing street naming and numbering schemes Confirm minimum charge	£30.80 minimum charge	£33.90 minimum charge
Rectification of existing address / postcode issues where no change involved Confirm minimum charge	£30.80 minimum charge	£33.90 minimum charge

S106 MONITORING

Charge	Existing 2022/23	Proposed 2023/24
Band 1: 1-5 dwellings of up to 1ha of land - Monitoring fee per covenant	£333.00	£366.00
Band 2: 6-10 dwellings or up to 3ha of land - monitoring fee per covenant	£400.00	£440.00
Band 3: 11-49 dwellings or up to 10ha of land - monitoring fee per covenant	£467.00	£514.00
Band 4: 50+ dwellings or more than 10ha of land - Monitoring fee per covenant	£600.00	£660.00

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ENVIRONMENTAL HEALTH

	Existing Charge 2022-2023 inclusive of 20% VAT £	Proposed Charge 2023- 2024 exclusive of 20% VAT £	Proposed Charge 2023-2024 inclusive of 20% VAT (where applicable) and rounded £
FOOD HYGIENE			
HEALTH CERTIFICATES Standard Charge (VAT not applicable)	49.00	N/A	51.45
Additional hours for Administration of (per hour)	28.25	N/A	29.65
On-site Inspection by Authorised Food Safety Officer (per hour on-site for any non- statutory functions i.e. export health certificate)	56.00	N/A	58.80
HOUSING (Outside the scope of VAT)			
HOUSES IN MULTIPLE OCCUPATION HMO Licensing	526.60	N/A	552.90
HOUSING ENFORCEMENT NOTICES (Outside the scope of VAT)			
Housing Act 2004 sections 11 & 12: Improvement Notice	291.00	N/A	305.55
Housing Act 2004 sections 20 & 21: Prohibition Order	291.00	N/A	305.55
Housing Act 2004 sections 28 & 29: Hazard Awareness Notice	291.00	N/A	305.55
Housing Act 2004 section 40 Emergency Remedial Action	291.00	N/A	305.55
Housing Act 2004 section 43: Emergency Prohibition Order	291.00	N/A	305.55
Housing Act 1985 section 265 Demolition Order	291.00	N/A	305.55

	Existing Charge 2022-2023 inclusive of 20% VAT	Proposed Charge 2023- 2024 exclusive of 20% VAT	Proposed Charge 2023-2024 inclusive of 20% VAT (where applicable) and rounded
	£	£	£
PRIVATE WATER SUPPLIES (Outside the scope of VAT)			
Risk Assessment	443.60	N/A	465.80
Desktop Risk Assessment	184.40	N/A	193.60
Sampling Visit	60.60	N/A	63.60
Investigation	97.20	N/A	102.05
Granting an authorisation	46.00	N/A	48.30
Analysing a sample under Regulation 10	Lab Charge	Lab Charge	Lab Charge
Analysing a check monitoring sample	Lab Charge	Lab Charge	Lab Charge
Analysing an audit monitoring sample	Lab Charge	Lab Charge	Lab Charge

ANIMAL WELFARE & MISCELLANEOUS LICENSING

(The following fees fall outside the scope of VAT with the exception of Vets' Fees)

ANIMAL WELFARE	Existing Charge 2022-2023 £	Proposed Charge 2023-2024 rounded + inclusive of VAT where applicable £
<p>Dangerous Wild Animals Act 1976</p> <p>New application for licence to keep a dangerous wild animal as defined in Schedule</p> <p>Renewal of licence to keep a dangerous wild animal as defined in Schedule</p>	<p style="text-align: center;">191.30</p> <p>Plus Vet Fees and VAT on Vets Fees and arrangement fee of £22.83 + VAT = £27.40</p> <p style="text-align: center;">159.80</p> <p>Plus Vet Fees and VAT on Vets Fees and arrangement fee of £22.83 + VAT = £27.40</p>	<p style="text-align: center;">201.00</p> <p>Plus Vet Fees and VAT on Vets Fees and arrangement fee of £24.00 + VAT = £28.80</p> <p style="text-align: center;">167.80</p> <p>Plus Vet Fees and VAT on Vets Fees and arrangement fee of £24.00 + VAT = £28.80</p>
<p>Zoo Licensing Act 1981</p> <p>Licence to operate a Zoo</p>	<p style="text-align: center;">353.30</p> <p>Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of £23.33 + VAT = £28.00</p>	<p style="text-align: center;">371.00</p> <p>Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of £24.50 + VAT = £29.40</p>

ANIMAL ACTIVITY	Existing Charge 2022-2023 £	Proposed Charge 2023-2024 £
Application for new licence	337.00	353.90
Fee for grant of licence (only charge if licence is granted)	81.50	85.60
Application fee to renew licence	337.00	353.90
Fee for grant of renewal of licence (only charge if licence is granted)	81.50	85.60
Variation of licence (administration only)	27.20	28.60
Variation of licence (administration and inspection)	136.00	142.80
Re-rating inspection	108.70	114.15
Appeal inspection	108.70	114.15

MISCELLANEOUS	Existing Charge 2022-2023 £	Proposed Charge 2023-2024 (VAT not applicable) £
Local Government (Miscellaneous Provisions) Act 1982 as amended by Local Government Act 2003 Registration of Persons and Premises to allow Practice of Acupuncture, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis	93.50 (separate registrations required for person and premises)	98.20 (separate registrations required for person and premises)
Local Government (Miscellaneous Provisions) Act 1982 Licence to Operate a Sex Establishment Licence to Operate a Sex Entertainment Venue	2304.90 2304.90	2420.00 2420.00
Local Government (Miscellaneous Provisions) Act 1982 Street Trading Consent	63.00	66.15
Public Health Acts Amendment Act 1907 Licence to Operate Pleasure Boats Pleasure Boat and Vessel Licence	43.50 43.50	45.70 45.70
Scrap Metal Dealers Act 2013 Site Licence (3 years) – New/Renewal Site Licence (3 years) – Variation Collectors Licence (3 years)	356.70 168.60 201.20	375.00 177.10 211.25
Business and Planning Act 2020 Pavement Licence	N/A	100.00

Hackney Carriage and Private Hire – Taxi Licensing

(All of these fees fall outside the scope of VAT, except sundry items).

	Existing Charge 2022/2023	Proposed Charge 2023/2024
Private Hire Operator's Licence - (Renewable every 5 years)		
Application Fee	£485.60	£510.00
Criminal Record Disclosure (Basic)	Fee set by Disclosure and Barring Service (DBS)	(DDDC will charge an admin fee if assisting – see Driver's Licence below).
** Operator will only need a basic criminal record check, if not a licensed driver with the District Council with a current Enhanced Disclosure Certificate.		
PHV Licence Fee - Contract Only (where vehicle is brand new and will be licensed for a max of 6 months).		£228.50
Vehicle Licence (Renewable every year)		
Hackney Carriage Licence Application Fee	£361.90	£380.00
Private Hire Vehicle Licence	£361.90	£380.00
Vehicle FULL Re-test (3 or more items requiring attention)	£72.20	£76.00
Vehicle MINOR re-test (2 items or less requiring attention)	£34.50	£36.25
Refund of vehicle test if vehicle sold or licence is surrendered within 6 months of being licensed	£72.20 Refund	£76.00 Refund
Vehicle Transfer	£37.10	£39.00
Meter Test (if seal is broken – requiring checking at Testing Depot)	£37.10	£39.00
Vehicle Licence (miscellaneous charges)		
Breaking an Appointment (without 24 hours notification)	£37.10	£39.00
Trailer and Top Box Test	£37.10	£39.00
Administration Fee to be charged if licence not issued/ or to be deducted from application fee refund		£25.00
Driver's Licence (Renewable every 3 years)		
Application for new/renewal of Driver's Licence	£194.90	£205.00
DBS Enhanced Criminal Records Check - DDDC Administration Fee	£2.50	£2.60

Hackney Carriage and Private Hire – Taxi Licensing

	Existing Charge 2022/2023	Proposed Charge 2023/2024
Driver's Knowledge Test	£36.80	£38.65
Driver's Knowledge Test PHV Contract Only	New Charge	£26.50
Driver's Knowledge Test Cancellation Fee	£11.55	£12.15
Sundries/Replacement		
	Prices include VAT	
Driver's Badge	£3.70	£3.90
Driver's Badge Holder	£3.70	£3.90
Council Door Stickers (for front doors)	£11.55	£12.15
Licence plate for rear of vehicle	£10.50	£11.05
Licence plate fixings for rear licence plate	£2.65	£2.80
Licence plate for inside windscreen	£7.40	£7.75
Plastic wallet for windscreen plate	£1.90	£2.00
Duplicate licence (paper copy)	£11.55	£12.15

GAMBLING LICENSING

(The following fees fall outside the scope of VAT).

An average increase of 4.5% is proposed for the following fees:

GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS	Maximum Fees prescribed by regulations (Gambling Act 2005)	Existing Charge 2022/23	Proposed Charge 2023/2024 plus %age and Rounded
Small Casino	£	£	£
New application	8,000.00	£7,588.80	£7,965.00
1 st Annual Fee ***	50% of annual fee	£2,504.90	£2,500.00
Annual Fee	5,000.00	£5,000.00 (max)	£5,000.00 (max)
Variation	4,000.00	£4000.00 (max)	£4,000.00 (max)
Transfer	1,800.00	£1,578.00	£1656.00
Reinstatement	1,000.00	£1,000.00 (max)	£1,000.00 (max)
Provisional Statement	8,000.00	£7,861.50	£8,000.00
Licence for Provisional Statement Holders	3,000.00	£2,857.00	£2,999.85
Large Casino			
New application	10,000.00	£9,289.00	£9,754.00
1 st Annual Fee ***	50% of annual fee	£4,644.50	£4,877.00
Annual Fee	10,000.00	£9,289.00	£9,754.00
Variation	5,000.00	£4,645.00	£4,877.00
Transfer	2,150.00	£1,859.10	£1,952.00
Reinstatement	2,150.00	£1,859.10	£1,952.00
Provisional Statement	10,000.00	£9,149.00	£9,605.00
Licence for Provisional Statement Holders	5,000.00	£4,590.70	£4,820.00
Bingo Club			
New application	3,500	£3,286.50	£3,450.00
1 st Annual Fee ***	50% of annual fee	£478.60	£500.00
Annual Fee	1,000	£957.20	£1,000.00
Variation	1,750	£1,641.70	£1,725.00
Transfer	1,200	£1,093.10	£1,148.00
Reinstatement	1,200	£1,093.10	£1,148.00

*** 1st Annual Fee is due 30 days after licence is granted, and annual fee is due on anniversary date of grant

GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS	Maximum Fees prescribed by regulations (Gambling Act 2005)	Existing Charge 2022/23	Proposed Charge 2023/2024 plus %age and Rounded
Bingo Club (cont'd)			
Provisional Statement	3,500	£3,142.30	£3,300.00
Licence for Provisional Statement Holders	1,200	£1,093.10	£1,148.00
Betting Premises (excluding tracks)			
New application	3,000.00	£2,575.90	£2,705.00
1 st Annual Fee ***	50% of annual fee	£285.30	£300.00
Annual Fee	600.00	£571.60	£600.00
Variation	1,500.00	£1,283.30	£1,348.00
Transfer	1,200.00	£1,000.00	£1,050.00
Reinstatement	1,200.00	£1,000.00	£1,050.00
Provisional Statement	3,000.00	£2,541.40	£2,668.00
Licence for Provisional Statement Holders	1,200.00	£1000.00	£1,050.00
Betting Tracks			
New application	2,500.00	£2,142.30	£2,250.00
1 st Annual Fee ***	50% of annual fee	£429.50	£451.00
Annual Fee	1,000.00	£859.00	£902.00
Variation	1,250.00	£1,141.10	£1,198.00
Transfer	950.00	£859.00	£902.00
Reinstatement	950.00	£859.00	£902.00
Provisional Statement	2,500.00	£2,142.30	£2,250.00
Licence for Provisional Statement Holders	950.00	£896.60	£942.00
Family Entertainment Centre (FEC)			
New application	2,000.00	£1,711.70	£1,800.00
1 st Annual Fee ***	50% of annual fee	£358.40	£375.00
Annual Fee	750.00	£714.80	£750.00

*** 1st Annual Fee is due 30 days after licence is granted, and annual fee is due on anniversary date of grant thereafter.

GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS	Maximum Fees prescribed by regulations (Gambling Act 2005)	Existing Charge 2022/23	Proposed Charge 2023/2024 plus %age and Rounded
Family Entertainment Centre (FEC)			
Variation	1,000.00	£859.00	£902.00
Transfer	50.00	£50.00 (max)	£50.00 (max)
Reinstatement	950.00	£859.00	£902.00
Provisional Statement	2,000.00	£1,715.90	£1,802.00
Licence for Provisional Statement Holders	950.00	£859.00	£902.00
Adult Gaming Centre (AGC)			
New application	2,000.00	£1,715.90	£1,802.00
1 st Annual Fee ***	50% of annual fee	£428.50	£450.00
Annual Fee	1,000.00	£856.90	£900.00
Variation	1,000.00	£856.90	£900.00
Transfer	1,200.00	£1,141.10	£1,200.00
Reinstatement	1,200.00	£1,141.10	£1,200.00
Provisional Statement	2,000.00	£1,715.90	£1,802.00
Licence for Provisional Statement Holders	1,200.00	£1,134.90	£1,192.00

*** 1st Annual Fee is due 30 days after premises licence is granted, and annual fee is due on anniversary date of grant thereafter.

GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS	Maximum Fees prescribed by regulations (Gambling Act 2005)	Existing Charge 2022/23	Proposed Charge 2023/2024 plus %age and Rounded
Occasional Use Notices (OUNs)	No Fee Permitted	No Fee Permitted	No Fee Permitted
Temporary Use Notices (TUNs)	500.00	£332.30	£349.00
Notification of Change of Details	50.00	£50.00	£50.00 (max)
Copy of Licence/Notice	25.00	£20.90	£22.00

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REGULATORY SERVICES

ESTATES AND FACILITIES

Charge	Current 2022/23	Proposed 2023/24
Easements, Covenants and one off Deeds	£271.70 plus £52.30 per hour after 5 hours	£285.25 plus £54.90 per hour after 5 hours
Commercial Licences to occupy Council Land	£271.70	£285.25
Licences to occupy Council Land for community benefit	£81.50	£85.55
Leases and renewals	£271.70 plus £52.30 per hour after 5 hours	£285.25 plus £54.90 per hour after 5 hours
Licences to assign, sublet, carry out works under a Lease	£271.70	£285.25
Sales of Council Land, Sales by Land by Tender and Sales of Land by Auction	Maximum of 1.5% of the sale price (subject to minimum of £271.70)	Maximum of 1.5% of the sale price (subject to minimum of £285.25)
Transfer of land for affordable housing at nil consideration in exchange for nomination rights	£271.70 and £52.30 p/h after 5 hours	£285.25 and £54.90 p/h after 5 hours
Temporary (less than 1 year) installations on Council Land by Town and Parish Councils	Reduction of 33% on standard fee.	Reduction of 33% on standard fee.
Community Asset Transfers	Nil charge	Nil charge
Emergency Works Licences affecting public safety.	Nil charge	Nil charge

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PRE-APPLICATION ADVICE

(The following fees are inclusive of VAT)

PRE-APPLICATION ADVICE	Existing Charge 2022-2023 £	Proposed Charge 2023-2024 rounded + inclusive of VAT £
Planning Permission		
Letter Fee	£29.40	£30.87
Letter and Meeting Fee	N/A	N/A
Householder Proposals		
Letter Fees	£58.60	£61.53
Letter and Meeting Fees	£117.30	£123.17
Works to Listed Buildings		
Letter Fee-		
Householder	£58.60	£61.53
Commercial	£117.30	£123.17
Letter and Meeting Fee-		
Householder	£175.90	£184.70
Commercial	£234.50	£246.23
Advertisement Proposals (Per Site)		
Letter Fee	£58.60	£61.53
Letter and Meeting Fee	N/A	N/A
Change of Use (not Inc. dwellings, major development or engineering works)		
Letter Fees	£117.30	£123.17
Letter and Meeting Fee	N/A	N/A
All other uses/ buildings		
0 – 499 Sqm		
Letter Fee	£117.30	£123.17
Letter and Meeting Fee	£1875.90	£184.70
500 – 999 sqm / Less than	95	

1Ha Or 0 – 3 dwellings (Outline less than 0.5Ha)		
Letter Fee	£175.90	£184.70
Letter and Meeting Fee	£410.40	£430.92
1,000 – 9,999 Sqm / 1 – 2 Ha Or 4 – 9 dwellings		
Letter Fee	£351.75	£369.34
Letter and Meeting Fee	£586.30	£615.62
10 – 99 Dwellings (Outline of 0.5 – 1.99 Ha)		
Letter Fee	£586.30	£615.62
Letter and Meeting Fee	£879.40	£923.37
99 – 199 Dwellings (Outline of 2 – 4 Ha)		
Letter Fee	£762.10	£800.21
Letter and Meeting Fee	£1028.60	£1,080.03
All other uses: 10,000+ Sqm > 4 Ha or > 200 dwellings		
Letter Fee	£879.40	£923.37
Letter and Meeting Fee	£1,172.49	£1,231.11
Initial ‘in principle’ enquiry with email confirmation of meeting with limited up front information provided		
Letter Fee	£351.75	£369.34
Letter and Meeting Fee	Email to Confirm	Email to Confirm

<p>Request for Information</p> <p>Confirmation of last known planning use of land and/or buildings</p> <p>Sites/ Buildings < than 1000sq.m</p> <p>Letter Fee Letter and Meeting Fee</p> <p>Sites/ Buildings > than 1000sq.m</p> <p>Letter Fee Letter and Meeting Fee</p> <p>Confirmation as to whether a building/ structure is deemed curtilage listed</p> <p>Letter Fee Letter and Meeting Fee</p>	<p>£29.40 N/A</p> <p>£58.60 N/A</p> <p>£29.40 N/A</p>	<p>£30.87 N/A</p> <p>£61.53 N/A</p> <p>£30.87 N/A</p>
<p>Enquiries relating to the discharge of pre-commencement conditions</p> <p>Householder Applications</p> <p>Letter Fee Letter and Meeting Fee</p> <p>Other Applications</p> <p>Letter Fee Letter and Meeting Fee</p>	<p>£23.40 N/A</p> <p>£58.60 £88.00</p>	<p>£24.57 N/A</p> <p>£61.53 £92.40</p>
<p>Enquiries relating to minor amendments to approved developments and variation/amendments to S106 agreements</p> <p>Letter Fee Letter and Meeting Fee</p>	<p>£58.60 N/A</p>	<p>£61.53 N/A</p>
<p>Additional letter and/or meeting</p> <p>Letter Fee Letter and Meeting Fee</p>	<p>Half original fee Half original fee</p>	<p>Half original fee Half original fee</p>

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Agenda Item 10



OPEN REPORT GOVERNANCE & RESOURCES COMMITTEE

Governance & Resources Committee – 16 February 2023

ASSET MANAGEMENT PLAN - LAND HOLDINGS REVIEW

Report of Director of Regulatory Services

Report Author and Contact Details

Mike Galsworthy - Estates and Facilities Manager

Telephone: 01629 761207

Email: mike.galsworthy@derbyshiredales.gov.uk

Wards Affected

Dovedale & Parwich

Doveridge & Sudbury

Wirksworth

Ashbourne South

Report Summary

This report represents the fifth phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan. This phase of the Land Holdings Review covers 5 sites across the District in which expressions of interest have been received for Community Asset Transfers.

Recommendations

1. That Site no. 1, Land at Pasture Gate, Thorpe is transferred to National Trust on the terms outlined in Appendix 1 of this report as a Community Asset Transfer of the freehold title.
2. That 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.
3. That Site no. 4, Part Fanny Shaw Recreation Ground, Wirksworth be transferred to Wirksworth Regeneration and Development CIC on the terms outlined in Appendix 1 of this 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 this report as a Community Asset Transfer by way of long lease.

5. That it is noted that all the disposal in this report (either by lease or freehold title transfer) comprise undervalue transactions permitted under the General Disposal Consent 2003.
6. That each party will bear their own legal costs in respect of each disposal.

List of Appendices

Appendix 1 - LAND HOLDINGS REVIEW PHASE 5 BY PROPERTY

Background Papers

None applicable

Consideration of report by Council or other committee

Not applicable

Council Approval Required

No

Exempt from Press or Public

No

ASSET MANAGEMENT PLAN - LAND HOLDINGS REVIEW

1. Background

- 1.1 The Asset Management Plan (AMP) 2019 -2023 is 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 decisions can be made in support of the Council's corporate aims and objectives.
- 1.2 The Asset Management Plan recommends to support and enable Community Asset Transfer of land and buildings where appropriate.
- 1.3 This the fifth of a number of reports consider the future arrangements for surplus land and buildings across the District.

2. Key Issues

- 2.1 Phase 5 of the Land Holdings Review covers 5 sites in which queries or expressions of interest have been received for Community Asset Transfers. Following consideration of planning, legal and estate management factors, together with operational requirements, recommendations are made regarding whether the sites should be retained, allocated for a particular use or sold and the terms which would apply.
- 2.2 An appraisal of each site has taken place comprising advice on any planning constraints, legal restrictions and maintenance liabilities/costs.
- 2.3 Site no. 1 comprises a 0.04 Ha site which was previously used as a car park adjoining the, now surplus, public conveniences. It is registered as a village green and provides access to a residential property to the rear and for the National Trust land at Thorpe Cloud. National Trust are interested in a transfer of this land. It is recommended that this is agreed as a freehold Community Asset Transfer on the terms set out in Appendix 1.
- 2.4 Site no. 2 comprises a 0.4 Ha site accessed from Hawthorn Close, Doveridge. The site has been managed by Doveridge Parish Council and has the bowling club and other community activities on site. Doveridge Parish Council has requested the freehold transfer to use as a community asset. It is recommended that this is agreed as a freehold Community Asset Transfer on the terms set out in Appendix 1.
- 2.5 Site no. 3 comprises a 0.6 Ha site accessed bounded by Church Lane, Park Crescent and Cook Lane in Doveridge. Doveridge Parish Council has requested the freehold transfer to use as a community asset to enhance its offering and encourage wildlife. It is recommended that this is agreed as a freehold Community Asset Transfer on the terms set out in Appendix 1
- 2.6 Site no. 4 comprises 0.2 Ha of land which forms part of Fanny Shaw Recreation Ground. It is currently leased to Wirksworth Regeneration and Development CIC as a skate park and this would renew their current lease to allow the refurbishment of the skate facility. It is recommended that this

is agreed as a Community Asset Transfer by long lease on the terms set out in Appendix 1.

2.7 Site no. 5 comprises a small area (two parking spaces) of land within Shawcroft car park to allow a new plinth to be erected for the turning up of the Shrovetide Football. It is recommended that this is agreed as Community Asset Transfer by long lease on the terms set out in Appendix 1.

2.8 The results and recommendations for the 5 sites are summarised in Appendix 1 together with plans of each site.

3. Options Considered and Recommended Proposal

3.1 Not applicable

4. Consultation

4.1 Ward Members and the relevant Town/Parish Council have been consulted on the proposed disposals and any comments received will be reported to the meeting.

5. Timetable for Implementation

5.1 On approval instructions will be issued to work towards transfer.

5.2 With the exception of site no. 5 which is to be completed immediately after approval it is anticipated that transfers and leases will be completed in the second quarter of 2023/24.

6. Policy Implications

6.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

7. Financial and Resource Implications

7.1 It is recommended that sites 1, 2 and 3 be transferred at peppercorn consideration, that sites 4 is to be transferred as a new 25 year lease at peppercorn rent, on similar terms to the current lease though modernised to account for changes in legal requirements and that for site 5 there a transfer as a new 25 year lease on key terms as set out in Appendix 1. As Community Asset Transfers, all of these are undervalue transactions. In all cases each party will be responsible for their own legal and surveying costs.

7.2 While these are undervalue transactions, that will only generate income at a peppercorn (if requested), the proposed Community Asset Transfers will each remove a liability for future maintenance.

7.3 The financial risk is assessed as low.

8. Legal Advice and Implications

8.1 The proposed disposals satisfy the Asset Management Plan (AMP) 2019 - 2023 as detailed at clause 1 of this report;

8.2 It is recorded on each proposed transaction that relevant restrictions should be included so that the lands are protected in the future for community use.

8.3 Provided that the appropriate legal processes are followed on each of the proposed disposals then the legal risk is assessed as low.

9. Equalities Implications

9.1 None applicable

10. Climate Change Implications

10.1 There are no significant climate change impacts of the recommendations on the report.

10.2 The transfer of the sites in recommendations 3 are likely to have a positive climate change impact, depending on the subsequent actions of the Parish Council involved. The Parish Councils seek to improve or retain the natural habitat on site.

11. Risk Management

11.1 Provided Council policies in regard to disposals of property assets are followed the management risk is considered low.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	01/02/2023
Monitoring Officer (or Legal Services Manager)	Kerry France	

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APPENDIX 1 – LAND HOLDINGS REVIEW PHASE 5 BY PROPERTY

SITE INDEX

1.	Land, Pasture Gate, Mires Lane, Thorpe (Ex car Park)	CAT – Freehold Transfer
2.	Doveridge Bowls Club, Hawthorn Close, Doveridge	CAT – Freehold Transfer
3.	Doveridge Pond and adjoining land, Church Lane, Doveridge	CAT – Freehold Transfer
4.	Part Fanny Shaw Recreation Ground, Cromford Road, Wirksworth	CAT – Long Lease
5.	Part Shawcroft Car Park, Park Road, Ashbourne	CAT – Long Lease



Site 1 – Land, Pasture Gate, Mires Lane, Thorpe (ex car park)



Indicative Plan only

Plan - Area outlined in red, yellow shading right of way retained for DDDC

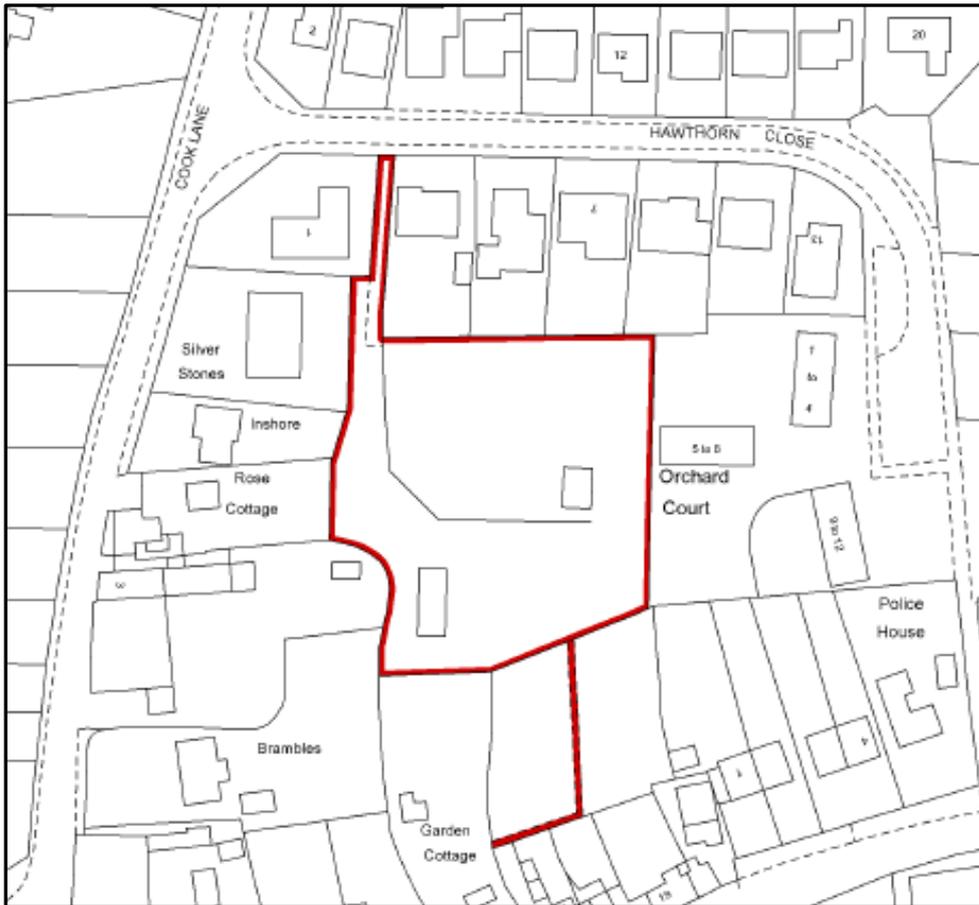
LAND HOLDINGS REVIEW

SITE NO. 1

ADDRESS	Land, Pasture Gate, Mires Lane, Thorpe Reference : A/00219 07/0370
REQUEST RECEIVED	National Trust (NT) have requested the Community Asset Transfer (CAT) of this site as it is an important access route for their fields to the rear including Thorpe Cloud.
DESCRIPTION/LOCATION	<p>The property is an open area of land of approx. 0.04 Ha (0.09 acre) that rises gently from its frontage at Mires Lane to the rear of the site. It was previously used as a P&D car park by DDDC and is surfaced with a concrete grass grid.</p> <p>The area is registered as a Village Green by Thorpe Parish Council during the late 1960s.</p> <p>The land provides access for the NT fields to the rear, a public right of way and access to Pasture Gate Cottage is currently being negotiated following a claim lodged with Land Registry.</p>
OWNERSHIP	Freehold owned by DDDC under title DY489230 under possessory title.
LEGAL COVENANTS RESTRICTIONS	<p>There are no restrictive or legal covenants affecting the land.</p> <p>As the property is registered as a village green any consents required prior to transfer will be requested.</p> <p>Public Open Space (POS) advertising will also be undertaken and considered prior to the transfer being completed.</p>
PLANNING	Comes under Peak Park Joint Planning Board
MAINTENANCE	TBC
HEALTH & SAFETY/RISKS	N/A
CLIMATE CHANGE	There is no major change in use of the site proposed and so no significant impacts likely.

OFFICER COMMENT	<p>This site is currently not used and does not have an obvious operational use. It was previously used as P&D car park for non-residents.</p> <p>The registration as a village green and rights of way should ensure that the area is retained as a community asset for the benefit of Thorpe residents.</p> <p>Derbyshire County Council (DCC) has recently digitised the village green register and has included part of the public conveniences as village green. The accuracy of this is currently being discussed with DCC.</p> <p>In considering the transfer a small strip of land will be retained to ensure that the adjoining building can be maintained. Vehicular access for all purposes should be retained to the adjoining DDDC land.</p> <p>Thorpe Parish Council are not interested in a CAT of the site and have been keen to have NT access rights formalised.</p>
RECOMMENDATION	<p>The site to be transferred at peppercorn consideration (undervalue transaction).</p> <p>Given the site is registered as a village green restrictions on its future use are not considered necessary.</p> <p>It will be transferred in existing condition and encumbrances.</p> <p>As a CAT each party are to pay their own legal and surveying costs.</p>

Site 2 – Doveridge Bowls Club, Hawthorn Close, Doveridge



Indicative plan only
Plan - Area outlined in red

LAND HOLDINGS REVIEW

SITE NO. 2

ADDRESS	Doveridge Bowls Club, Hawthorn Close, Doveridge Reference : A/00363 07/0357
REQUEST RECEIVED	Doveridge Parish Council (DPC) have requested the Community Asset Transfer (CAT) of this site to enable the development of community use as a bowling club and allotments.
DESCRIPTION/LOCATION	The property is a level area with narrow entrance from Hawthorn Close and is approx. 0.81 acre (0.4 Ha). It includes a footpath that runs to a playground to the south.
OWNERSHIP	Freehold owned by DDDC under title DY426097.
LEGAL COVENANTS RESTRICTIONS	The Title Register does not record any restrictive or other covenants affecting or benefitting the land. There is currently an agreement dated 21 December 1978 in favour of Doveridge Parish Council at a peppercorn rental.
PLANNING	N/A
MAINTENANCE	Currently maintained and managed by DPC
HEALTH & SAFETY/RISKS	N/A
CLIMATE CHANGE	There is no major change in use of the site proposed so no significant impacts likely. Further development of the allotments could have a positive impact, in terms of increased the production of locally grown food.
OFFICER COMMENT	This site is currently held by DPC under a lease which is being held over. Land is currently used as bowls club and allotments (community use).

	<p>When transferred it is considered that DPC will be able to further develop this area as a community asset.</p>
<p>RECOMMENDATION</p>	<p>The freehold of the site to be transferred at peppercorn consideration (undervalue transaction).</p> <p>The usual restrictions on title and to protect so it is retained as a community asset.</p> <p>It will be transferred in existing condition and encumbrances.</p> <p>As a CAT each party pay for their own legal and surveying costs.</p>

Site 3 – Doveridge Pond and adjoining land, Church Lane, Doveridge



Indicative Plan only
Plan - Land outlined in red

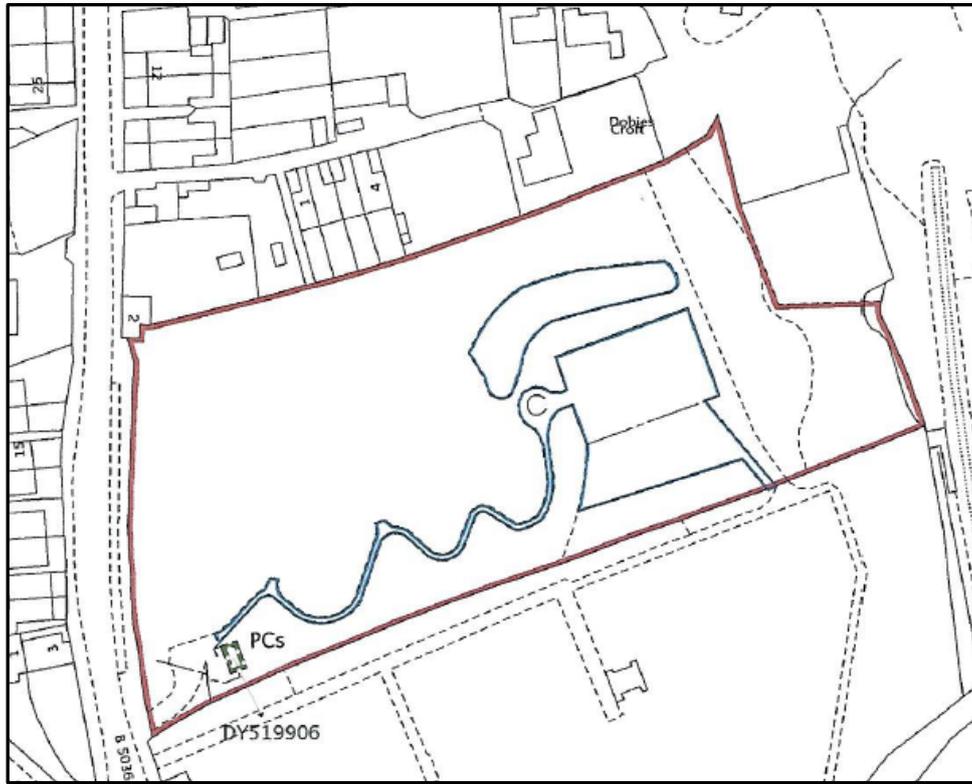
LAND HOLDINGS REVIEW

SITE NO. 3

ADDRESS	<p>Doveridge Pond and adjoining land, Church Lane, Doveridge</p> <p>Reference No : A/00364 05/0262</p>
REQUEST RECEIVED	<p>Doveridge Parish Council (DPC) have requested the freehold transfer of the land so it can further develop the wildflower meadow established near the pond and erect a viewing platform around pond as requested in a resident survey.</p> <p>DPC would like this area to remain a natural area for the enjoyment of residents (community use).</p>
DESCRIPTION/LOCATION	<p>The property has three road frontages; Church Lane, Park Crescent and Cook Lane in a residential area. Approximately half the site consists of a large pond and the remainder is a wooded area.</p> <p>The property is 1.55 acres (0.6 Ha)</p>
OWNERSHIP	<p>Freehold owned by Derbyshire Dales District Council under title DY421698.</p>
LEGAL COVENANTS RESTRICTIONS	<p>The land was gifted to DDDC and contains a restriction described as a gift in perpetuity for the purpose of an exercise and recreation ground. Additional enquiries are required in relation to this to determine if there is trust status.</p> <p>The conveyance to DDDC indicates a sewer which would now be adopted by the water authority. The area also contains a number of Sustainable Drainage Systems (SuDS) and an overflow drain.</p> <p>Public Open Space (POS) advertising will also be undertaken and considered prior to the transfer being completed.</p>
PLANNING	<p>N/A</p>

MAINTENANCE	TBC
HEALTH & SAFETY/RISKS	The large pond is a potential high risk area that requires active management.
CLIMATE CHANGE	<p>There is no major change in use of the site proposed so no significant impacts likely.</p> <p>The indicative plans of DPC seek to improve the natural habitat on site and may have a positive climate change impact in the longer term.</p>
OFFICER COMMENT	<p>This area has no current operational use but does provide open space and natural habitat in a residential area.</p> <p>DPC have some reservations about taking on the wooded area due to the age and condition of large trees. A survey of the trees will be undertaken prior to transfer.</p> <p>If taken on by DPC closer management may improve the existing facility for residents.</p>
RECOMMENDATION	<p>The freehold of the site to be transferred at peppercorn consideration (undervalue transaction).</p> <p>The usual restrictions on title and to protect so it is retained as a community asset.</p> <p>It will be transferred in existing condition and encumbrances.</p> <p>As a CAT each party pay for their own legal and surveying costs.</p>

Site 4 – Part Fanny Shaw Recreation Ground, Cromford Road, Wirksworth



Indicative plan only

Plan - Area outlined in blue, Recreation Ground outlined in red

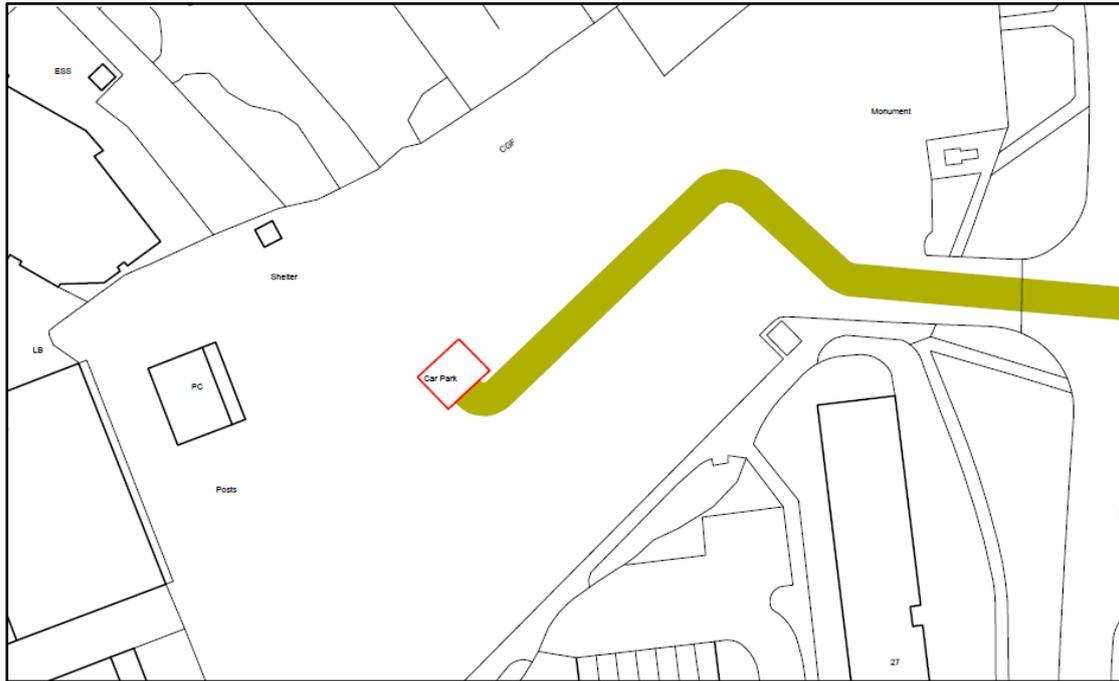
LAND HOLDINGS REVIEW

SITE NO. 4

ADDRESS	<p>Fanny Shaw Recreation Ground, Cromford Road, Wirksworth</p> <p>Reference No : A/00273 05/0115 L/00011</p>
REQUEST RECEIVED	<p>Wirksworth Regeneration and Development CIC (No 04657401 - aka NOW) have requested an extension and update of their existing lease so they can apply for grant funding and update the existing skate park facility.</p>
DESCRIPTION/LOCATION	<p>The property is located on the west side of Cromford Road and the skate park is currently located at the rear of the park with a long footpath providing access from Cromford Road.</p> <p>The existing lease held by NOW on the skate park facility commenced in May 2011 and expires in May 2032.</p> <p>The leased area is 0.45 acre (0.2 hect)</p>
OWNERSHIP	<p>Freehold owned by DDDC under title DY452257.</p> <p>Existing leasehold interest of NOW is registered as DY459218</p>
LEGAL COVENANTS RESTRICTIONS	<p>Fanny Shaw Recreation Ground is held by DDDC as sole Trustee. Additional enquiries will be made as part of the sale process.</p> <p>Public Open Space (POS) advertising will also be undertaken and considered prior to the transfer being completed.</p> <p>There is currently a charge registered against the leasehold title in favour of the English Sports Council. This charge and any new charge that English Sports Council they require will need to be addressed as part of the transaction.</p>

PLANNING	N/A
MAINTENANCE	The existing maintenance and inspections of the skate park are carried out by NOW with assistance of Wirksworth Town Council under the terms of the existing lease.
HEALTH & SAFETY/RISKS	N/A
CLIMATE CHANGE	There is no major change in use of the site proposed so no significant impacts are likely.
OFFICER COMMENT	Granting a long lease to NOW will enable funds to be raised and the facility upgraded so planning permission granted on 5 July 2021 21/00648/FUL be implemented. It is understood that NOW have made progress in applications for funds and the scheme is achievable.
RECOMMENDATION	Subject to POS advertising NOW to be granted new 25 year lease at peppercorn rent (undervalue transaction) on similar terms to the existing lease and modernised to account for changes in legal requirements. As a CAT each party is to pay for their own legal and surveying expenses.

Site 5 – Part Shawcroft car park, Park Road, Ashbourne



Indicative plan only

Plan - Area outlined in red lease area, yellow shading right of way

ADDRESS	Shawcroft Car Park, Park Road, Ashbourne Reference No : A/00251 05/0112
REQUEST RECEIVED	Ashbourne Royal Shrovetide Football Committee (ARSFC) requested the relocation of the plinth used to turn the ball up from the edge of the car park to the centre of the car park.
DESCRIPTION/LOCATION	Shawcroft car park is located in the centre of Ashbourne and is the main car park for the town centre. The car park is well surfaced and re-lined within the last 5 years and provides 191 car parking spaces and the public conveniences. The new plinth and area to be subject of the lease is located in the centre of the car park.
OWNERSHIP	Freehold owned by DDDC under title DY395355.
LEGAL COVENANTS RESTRICTIONS	A full title check will be completed as part of this disposal.
PLANNING	Planning for the new location of the plinth was granted under 20/00934/FUL.
MAINTENANCE	N/A
HEALTH & SAFETY/RISKS	TBC
CLIMATE CHANGE	There is no major change in use of the site proposed so no significant impacts likely.
OFFICER COMMENT	The existing plinth has been demolished and replaced by two new car parking spaces. These will replace the two spaces where the new plinth has been built. The car park team have reviewed the proposal and ensured that there is no loss of car parking. The plinth is an important part of the Shrovetide event and the organisers have advised that historically the turning up of the ball was in the centre of the car park. The lease being offered will ensure that ARSC will remain responsible for the structure and its use. It is envisaged that the lease will be in

	<p>place prior to the commencement of the 2023 game or a tenancy at will be agreed as a temporary measure.</p>
<p>RECOMMENDATION</p>	<p>A new lease on key terms as follows –</p> <ul style="list-style-type: none"> - 25 year lease - Peppercorn rent (undervalue transaction) - To use for Shrovetide Football - Relocation of right of way in case of development or reconfiguration of the car park - £10m in public liability insurance - Lessor responsible for all repair - Comply with planning permissions - Not to charge, underlet or sub-lease. <p>As a CAT each party is to pay for their own legal and surveying expenses.</p>