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Council

Minutes of a Council meeting held at 6.00 pm on Thursday, 2nd March, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT Councillor Sue Bull - In the Chair

Councillors: Andrew Shirley, Jacqueline Allison, Robert Archer, Jason Atkin, Richard Bright, Matt Buckler, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Tom Donnelly, Helen Froggatt, Chris Furness, Clare Gamble, Dawn Greatorex, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Tony Morley, Garry Purdy, Mike Ratcliffe, Peter Slack, Andrew Statham, Colin Swindell, Steve Wain and Mark Wakeman

Paul Wilson (Chief Executive), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Karen Henriksen (Director of Resources), Steve Capes (Director of Regeneration & Policy), Giles Dann (Regeneration and Place Manager), Kerry France (Legal Services Manager), Jim Fearn (Communications & Marketing Manager) and Lucy Harrison (Democratic Services Assistant)

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): Paul Cruise, Graham Elliott, Richard FitzHerbert, Steve Flitter, Michele Morley, Dermot Murphy, Peter O'Brien, Janet Rose, Mark Salt and Alasdair Sutton.

310/22 - PUBLIC PARTICIPATION

There was no public participation.

311/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Tom Donnelly, Seconded by Councillor Stuart Lees and

RESOLVED

That the minutes of a meeting of Council held on 26 January 2023 be approved as a correct record.

Voting

26 For

01 Against

00 Abstained

The Chairman declared the motion **CARRIED**.

312/22 - INTERESTS

Item 6 – Capital Programme 2022/23 to 2026/27

Councillor Martin Burfoot declared a personal interest in Item 6 due to being a member of Matlock Community Vision.

Councillor Sue Burfoot declared a personal interest in Item 6 due to being a member of Matlock Community Vision.

313/22 - CORPORATE PLAN 2023-24 - Q3 PERFORMANCE 2022/23 AND SPECIFIC TARGETS FOR 2023/24

The Director of Regeneration and Policy introduced a report advising Members of performance against the District Council's Corporate Plan targets during the first nine months of 2022/23. The report also set out specific Corporate Plan targets for 2023/24 based on the target areas that the Council set on 26th January 2023.

It was noted that the Corporate Plan set out the top priorities of the District Council, and was the key strategy from which the District Council's Revenue Budget, Capital Programme and Service Plans would cascade.

For the coming financial year (2023/24), the report recommended 24 specific actions for the Corporate Plan priority target areas as adopted by Council on 26th January 2023. Specific actions for these priority target areas were proposed in Section 2 of the report and Appendix 2.

The report indicated that at the end of the third quarter of 2022/23, 18 of the 26 (69%) targets were on track for achievement by the target date set. A further 8 targets were at risk of not being achieved by the target date set and may be achieved later than originally planned.

It was moved by Councillor Garry Purdy, Seconded by Councillor David Hughes and

RESOLVED (unanimously)

1. That the Corporate Plan targets for 2023/24 as set out in Appendix 2 to the report be approved.
2. That performance to date against 2022/23 Corporate Plan targets, as set out in the report and appendix 1, be noted.

The Chairman declared the motion **CARRIED**.

314/22 - CAPITAL PROGRAMME 2022/23 TO 2026/27

The Director of Resources introduced a report which:

- Presented the current financial position of spend against the 2022/23 Capital Programme as at 31st December 2022;
- Updated Members on the position regarding the UK Shared Prosperity Fund (UKSPF) capital grant allocation and provided Members with details of activity proposed under the Rural England Prosperity Fund (REPF) capital grant allocation – a rural ‘top-up’ to the UKSPF programme – added to the Capital Programme;
- Updated Members on the position regarding the Bakewell Road, Matlock scheme following the recent tender process and set out proposals for consideration for utilising additional UKSPF/REPF grant to support the scheme;
- Explained other proposed changes to the capital programme for 2022/23 to 2026/27 and associated financing;
- Sought approval for the updated capital programme for 2022/23 to 2026/27 and associated financing.

The first part of the report presented the current financial position of spend against the 2022/23 Capital Programme as at 31st December 2022. The remainder of the report described new bids and other updates to the capital programme for 2022/23 to 2026/27 and associated funding.

With the Chairs agreement, the Regeneration and Place Manager gave an update to Members regarding the Land at Bakewell Road, Matlock: Proposed Conversion of Former Market Hall and Public Realm Improvements which was detailed in Appendix E to the report.

Members were informed that an Invitation To Tender (ITT) was published on 3 November 2022. Unfortunately, following a review of compliance, quality and price, an acceptable / affordable tender had not been received to deliver the core scheme. It was noted that the tender process had illustrated the challenge of delivering the proposed scheme within the current market impacted by the volatile situation within the construction industry and high inflation.

Due to the recognised significant commitment of the District Council to the Bakewell Road scheme and to avoid further delay, the allocation of UKSPF capital funding of £273,000 to support delivery of the scheme was proposed, with a further provisional allocation of REPF

funding of up to £135,737 subject to the outcome of the tender process. Following this, a final Capital programme allocation would be determined based on the minimum funding necessary for the scheme to proceed.

The recommendations as set out in the report were moved by Councillor Neil Buttle and seconded by Councillor Steve Wain with the addition of the following amendment to recommendation 6:

“6. That authority be delegated to the Director of Regeneration and Policy in consultation with group leaders to enter into the required contract documentation for the Bakewell Road shell construction and public realm works subject to an acceptable tender being received and the tendered costs being within the amended Capital Programme budget. Should tendered costs for these works exceed the amended budget, a report will be bought back to Council for consideration.”

The motion was then put to the vote and

RESOLVED (unanimously)

1. That the Capital Programme spend to 31st December 2022 be noted.
2. That new projects totalling £16,016,396 (set out in paragraph 3.1 of the report) and other revisions set out in paragraph 3.2 and Appendix C of the report, be approved for inclusion in the Capital Programme.
3. That the updated capital programme for 2022/23 to 2026/27 set out in Appendix B to the report totalling £35,858,944 be approved.
4. That financing of the Capital Programme from the sources summarised at paragraph 3.3 be approved.
5. That further UK Shared Prosperity Fund capital of £273,000 be included within the Capital Programme to support delivery of the Bakewell Road, Matlock scheme, along with a further provisional allocation of Rural England Prosperity Funding (a rural top-up to the UK Shared Prosperity Fund allocation) of up to £135,737 subject to the outcome of the tender process and review of final scheme proposals.
6. That authority be delegated to the Director of Regeneration and Policy, in consultation with group leaders, to enter into the required contract documentation for the Bakewell Road shell construction and public realm works subject to an acceptable tender being received and the tendered costs being within the amended Capital Programme budget. Should tendered costs for these works exceed the amended budget, a report will be bought back to Council for consideration.

The Chairman declared the motion **CARRIED**.

Councillor Richard Bright left the meeting at 19:08pm

315/22 - REVENUE BUDGET AND SERVICE PLANS 2023/24

The Director of Resources introduced a report seeking approval for the District Council's Service Plans, the Revenue budget for 2023/24 and the updated Medium Term Financial Plan (MTFP).

Appendix 1 to the report set out revenue spending proposals for all of the Council's services and activities. These were linked to the service plans for 2023/24. It was noted that the forecasts of revenue spending requirements included both the revenue financing costs and running/operating expenditure associated with the Capital Programme.

In addition to considering the spending proposals for the forthcoming year, it was noted that CIPFA's Financial Management Code required the preparation of an MTFP. This showed the known changes in financial commitments for future years to ensure that the implications for future spending requirements could be identified in advance and included in the strategic planning process. An updated MTFP was provided in Appendix 4.

The report also covered the following topics:

- Local Government Finance Settlement for 2023/24
- Net Spending and Council Tax Requirement
- Council Tax
- Medium Term Financial plan (MTFP)
- Reserves and Balances
- Savings
- Chief Finance Officer's Statutory Report
- Financial Management Code
- Town / Parish Council Precepts
- Pay Policy Statement
- Options Considered and Recommended Proposals
- Consultation

It was moved by Councillor Garry Purdy, seconded by Councillor Susan Hobson

RESOLVED

1. That the level of Derbyshire Dales District Council's Council Tax (excluding parish requirements) for 2023/24 be increased by £6.58 per band D (2.94%) from the 2022/23 level, i.e. to £230.10 for Band D.
2. That the estimated net revenue expenditure for 2023/24 totalling £13,667,041 as detailed in the Summary Revenue Account in Appendix 2, be approved.
3. That the net revenue expenditure for 2022/23 (revised budget) totalling £11,854,818 as detailed in the Summary Revenue Account in Appendix 2, be approved.
4. That, when identified after 31 March 2023, the actual under- or over-spend for 2022/23 be treated as follows:
 - Underspending – transfer to the general reserve;
 - Overspending – amounts taken from relevant reserves where appropriate, with balance from the general reserve.
5. That the minimum level of uncommitted working balances be approved at £1,000,000 at 1st April 2023, and £1,000,000 at 1st April 2024.

6. That the net sum of £1,464,926 be transferred from strategic reserves in 2023/24, as shown in Appendix 2 and detailed in Appendix 5.
7. That the net sum of £2,333,002 be transferred to strategic reserves in 2022/23 (revised budget), as shown in Appendix 2 and detailed in Appendix 5.
8. That the following amounts be calculated by the Council for the chargeable financial year 2022/23 in accordance with Section 31A of the Localism Act 2011:-
 - i. Aggregate of the amounts which the Council estimated for the items set out in Section 31A(2)(a) to (f) thereof is £34,407,190;
 - ii. Aggregate of the amounts which the Council estimated for the items set out in Section 31A(3)(a) to (d) thereof is £25,383,396;
 - iii. Calculation under Section 31A(4) being the amount of which the aggregate at (i) above exceeds the aggregate of (ii) above, as the Council Tax Requirement for 2023/24 is £9,023,794.
9. That the updated Medium Term Financial Plan, shown in Appendix 4, be approved.
10. That service reductions to achieve the Corporate Savings Target “Continue a programme to identify efficiency savings and/or additional income of £286,000 a year by 2024/25” and that savings for 2025/26 and beyond be put on hold pending the outcome of the government reviews of Council funding.
11. That the Director of Resources’ report on the robustness of the budget and the adequacy of reserves in accordance with clause 25 of the Local Government Act 2003 be noted.
12. That Council adopts the Pay Policy Statement for 2023/24, set out in Appendix 9 to this report.
13. That the Derbyshire Dales District Council Service Plans (as set out in Appendix 10) are approved.

Statutory legislation required a recorded vote in respect of the Revenue Budget in accordance with rule of procedure 19e

The recorded vote was as follows:

For: **24 Councillors:** Jacqueline Allison, Robert Archer, Matt Buckler, Sue Bull, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Tom Donnelly, Helen Froggatt, Chris Furness, Dawn Greatorex, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Tony Morley, Garry Purdy, Mike Ratcliffe, Andrew Shirley, Peter Slack, Andrew Statham, Steve Wain and Mark Wakeman.

Against: **2 Councillors:** Clare Gamble and Colin Swindell.

Abstention: 0 Councillors

The Chairman declared the motion **CARRIED**.

316/22 - COUNCIL TAX SETTING 2023/24

The Director of Resources introduced a report which enabled the Council to calculate and set the Council Tax for 2023/24.

The Local Government Finance Act 1992, amended by the Localism Act 2011, required the billing authority to calculate a Council Tax requirement for the year.

The precept levels of other precepting bodies were included in the report. The detailed recommendations were set out in the formal Council Tax Resolution in Appendices A – C to the report and subject to their approval the total Band D Council Tax would be as tabled in 2.7 of the report.

It was moved by Councillor Tom Donnelly, seconded by Councillor David Hughes and

RESOLVED

1. That the Council approves the formal Council Tax resolution set out in Appendices A to C of the report.
2. That the Council endorses the following in respect of the empty homes premium:
 - a) That the Council continues to apply a council tax empty homes premium of 100% in respect of any dwelling that has been unoccupied and substantially unfurnished for at least 2 years but less than 5 years, except where statutory exemptions apply.
 - b) That, with effect from 1st April 2023, the Council will apply a council tax empty homes premium of 200% in respect of any dwelling that has been unoccupied and substantially unfurnished for at least 5 years but less than 10 years, except where statutory exemptions apply.
 - c) That, with effect from 1st April 2023, the Council will apply a council tax empty homes premium of 300% in respect of any dwelling that has been unoccupied and substantially unfurnished for at least 10 years, except where statutory exemptions apply.

Statutory legislation required a recorded vote in respect of the Council Tax Setting in accordance with rule of procedure 19e.

The recorded vote was as follows:

For: **25 Councillors:** Jaqueline Allison, Robert Archer, Matt Buckler, Sue Bull, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Tom Donnelly, Helen Froggatt, Chris Furness, Clare Gamble, Dawn Greatorex, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Tony Morley, Garry Purdy, Mike Ratcliffe, Andrew Shirley, Peter Slack, Andrew Statham, Steve Wain, Mark Wakeman

Against: **1 Councillor:** Colin Swindell.

Abstention: 0 Councillors

The Chairman declared the motion **CARRIED**.

317/22 - TREASURY MANAGEMENT STRATEGY STATEMENT 2023/24

The Director of Resources introduced a report determining the Treasury Management Strategy Statement for 2023/24, as required by The Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2021 Edition (the CIPFA Code).

It was noted that treasury management was the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council borrows and invests 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.

Appendix 1 to the report set out the Treasury Management Statement for 2023/24 .

It was moved by Councillor Tom Donnelly, seconded by Councillor Mark Wakeman and

RESOLVED (unanimously)

That the Treasury Management Strategy Statement for 2023/24 and the Treasury Management Prudential Indicators contained within be approved.

The chairman declared the motion **CARRIED**.

318/22 - CAPITAL AND INVESTMENT STRATEGY REPORT FOR 2023/24

The Director of Resources introduced a report seeking approval for the Council's Capital Strategy, Minimum Revenue Provision policy and the Corporate Investment Strategy for 2023/24.

The capital strategy report gave Members a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services, along with an overview of how associated risk is managed and the implications for future financial sustainability.

It was noted that the decisions made this year on capital and treasury management would have financial consequences for the Authority for many years into the future. They were therefore subject to both a national regulatory framework and to local policy framework, as summarised in the report.

Members were informed that The Prudential Code (2021 edition) stipulated that it was not prudent for local authorities to make any investment or spending decision that would increase the Capital Financing Requirement and so may lead to new borrowing, unless directly and primarily related to the functions of the authority and where any commercial returns are related to the financial viability of the project in question. The UK Government's rules for accessing the Public Works Loans Board (PWLB) funding required statutory chief officers to verify that their local authority's capital spending plans do not include the acquisition of assets primarily for yield.

Members were informed that the Council had not borrowed from the PWLB for the acquisition of assets primarily for yield.

It was moved by Councillor Tom Donnelly, seconded by Councillor Andrew Shirley and

RESOLVED (unanimously)

That the Capital Strategy, Minimum Revenue Provision Policy and the Corporate Investment Strategy for 2022/23 be approved.

The Chairman declared the motion **CARRIED**.

Meeting Closed: 7.45 pm

Chairman