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Wednesday, 20 September 2023

To All Councillors:

As a Member of the **Council**, please treat this as your summons to attend a meeting on **Thursday, 28 September 2023 at 6.00 pm** in the **Council Chamber - Town Hall**

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 of any apologies for absence.

2. 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.

3. 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.

4. LEADERS' ANNOUNCEMENTS

Announcements of the Leader of the Council.

5. CHAIRMAN'S ANNOUNCEMENTS

Announcements of the Civic Chairman.

6. COMMITTEES

To receive the non-exempt Minutes of the Committees shown below:

Non-exempt Minutes to be received:	Date:
Local Plan Sub-Committee	03 July 2023
Community & Environment Committee	13 July 2023
Biodiversity Sub-Committee	19 July 2023
Governance and Resources Committee	20 July 2023
Council	27 July 2023
Community and Environment Committee	07 September 2023
Planning	12 September 2023

7. QUESTIONS (RULE OF PROCEDURE 15)

Questions, if any, from Members who have given notice.

8. PROPOSAL OF A NOTICE OF MOTION (RULE OF PROCEDURE 16)

Motion A

The Council will debate the following Motion, submitted by Councillor David Burton, in accordance with Rule of Procedure 16.

“That this Council with immediate effect remove from its Civic Protocol constraints that limit the role of Civic Chair to only attending Charitable Events & Civic Services within the Derbyshire Dales - (Remove: “Except in exceptional circumstances only invitations within the District may be accepted”)

That this Council fully support our nominated “Civic Chair” to attend, promote and represent this authority at any adjoining Local Authorities where appropriate.

That this Council also, removes the 2015 Civic Protocol wording as follows “Cease holding a Civic Service as it isn’t an inclusive community event”.

That “Each individual serving Civic Chair can choose whether it is appropriate during their year of Office to hold either a “Civic Service” or relevant non-religious “Community Celebration” of the Derbyshire Dales.”

Motion B

The Council will debate the following Motion, submitted by Councillor Gareth Gee, in accordance with Rule of Procedure 16.

“That, in line with the New Council’s progressive objectives as presented by the Council Leader at the AGM, DDDC takes back control the running of Monsal Head Toilets. In doing this and in order to minimise the in-year cost to the Council with an aim for cost neutrality the council would need to invest in an infrastructure upgrade by installing a card payment system.

The outcome would be to guarantee the existence of this vital public service going forward under sustainable means and give improvement to the residents of the Bakewell Ward along with the many visitors to this iconic tourist destination in The Derbyshire Dales. I would ask to prevent the possible loss of this service the action is undertaken without delay in a timely manner.”

9. APPROVAL OF MINUTES OF PREVIOUS MEETING (Pages 5 - 16)

27 July 2023

10. GYPSY AND TRAVELLER SITE PROVISION IN THE DISTRICT - REPORT OF THE TRAVELLER WORKING GROUP (Pages 17 - 56)

The report acknowledges the importance of consultation with all involved, local communities and gypsy and travellers and details how this can take place. Lease agreements outlining expectations and responsibilities were considered and a proposal is contained within the report. The report provides clarity over the council decision making process. The report also makes some recommendations in respect of funding to test out the viability of a possible permanent site and additional officer time in order to further progress the acquisition for sites.

11. RESILIENCE , RESOURCES AND PRIORITIES (Pages 57 - 76)

The report discusses a series of issues relating to organisational resilience, resources and priorities and outlines potential options for members to consider in order to deliver a package of measures to aid the recruitment and retention of staff to ensure that the Council is adequately resourced to deliver its core services and priorities.

12. APPOINTMENT OF MONITORING OFFICER AND ELECTORAL REGISTRATION OFFICER (Pages 77 - 80)

The report seeks to confirm the appointment of Helen Mitchell (designate Director of Corporate and Customer Service) as the Council’s Monitoring Officer and Paul Wilson (Chief Executive) as the Electoral Registration Officer.

13. PROPOSED AMENDMENTS TO THE CONSTITUTION - FINANCIAL REGULATIONS (Pages 81 - 134)

To recommend the adoption of revised Financial Regulations (attached in Appendix 1) following a review to ensure that the rules comply with current best practice requirements. The technical part of the Constitution has multiple links and was last reviewed in September 2022.

14. REVENUE BUDGET MONITORING QUARTER 1 2023/24 (Pages 135 - 144)

This report provides an update on the Council's revenue budget for 2023/24 and seeks approval for virements and the revised budget for 2023/24.

NOTE

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Council

Minutes of a Council meeting held at 6.00 pm on Thursday, 27th July, 2023 in the Council Chamber - Town Hall.

PRESENT Councillor Steve Wain - In the Chair

Councillors: Robert Archer, Anthony Bates, John Bointon, Geoff Bond, Kelda Boothroyd, Martin Burfoot, Sue Burfoot, David Chapman, Peter Dobbs, Nigel Norman Edwards-Walker, Steve Flitter, Marilyn Franks, Dawn Greatorex, Susan Hobson, David Hughes, Stuart Lees, Joanne Linthwaite, Laura Mellstrom, Tony Morley, Dermot Murphy, Andy Nash, Peter O'Brien, Lucy Peacock, Simon Ripton, Roger Shelley, Peter Slack, Mark Wakeman and Nick Whitehead

Steve Capes (Director of Regeneration & Policy), Giles Dann (Regeneration and Place Manager), Samantha Grisman (Clean & Green Manager), Lucy Harrison (Democratic Services Assistant), Karen Henriksen (Director of Resources), James McLaughlin (Director of Corporate and Customer Services (Monitoring Officer)), Tommy Shaw (Democratic Services Team Leader), Laura Simpson (Principal Regeneration Officer) and Ashley Watts (Director of Community and Environmental Services)

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): Matt Buckler, David Burton, Neil Buttle, Gareth Gee and Nick Wilton.

76/23 - PUBLIC PARTICIPATION

Mr Peter Walton (Wirksworth Local Resident) and Ms Deborah Short (Wirksworth Local Resident) commented on the microwave radiation pollution emitted by the cellular tower erected on Millers Green, Wirksworth, and asked that an independent survey of the area be carried out.

77/23 - INTERESTS

There were no declarations of interest.

78/23 - LEADERS' ANNOUNCEMENTS

Councillor Steve Flitter, Leader of the Council, made the following statement:

Chair – I thought someone was going to relay to members Cllr Burton's good wishes, unfortunately he is not well but he will update members when his health improves and his activities as Civic chair.

Due to some verbal reports, it appears that since taking office we have done very little, so I thought the theme of tonight's announcements would concentrate on what a very busy couple of months we have had.

We said we would take a fresh look at and place our mark on the local plan that was fit for the future, that paper was taken to C & E and accepted, we have also prepared papers for pollution and biodiversity. We are progressing with reports on public conveniences, gypsy and travellers, economic development and partnership working.

We have yet to submit draft papers on Housing and the corporate plan however meetings are planned.

We also wish to develop the Leaders Advisory Group and the Joint Consultative Group.

Partnership working- LGA conference was interesting with discussions on Waste, Leisure, planning and housing. I also brought back for discussion details of the Sutton Green Enterprise and South Tyneside pledge, both which are worthy of thought. I was also a speaker at a political fringe meeting and networking was the key word.

DCN – Baroness Taylor in the house of Lords tabled that districts should be full constituent members of the new mayoral arrangements. 162 for 157 against. DCN urging government to retain when discussed by the commons after the recess.

East Midlands Council – The meetings main considerations revolved around regional infrastructure and investment, Asylum and refugee resettlement and HS2 but I had the opportunity to speak on the lack of and insufficient consistency of funding from government to rural local authorities suggesting a 3 or 4 year settlement.

County – We continue to play our part in the D2 Economic prosperity committee, Vision Derbyshire county deals and devolution, whether we agree with the devolution or not we have to ensure, if we can, the best solution for our residents.

More Locally – Paul Wilson and myself met with the Peak Parks CEO and chair and we hope to have a member joint briefing, attended the Peak Park think tank and the National Stone centre project group.

We have also been asked to meet with two hoteliers in the near future to discuss the difficulties the industry is facing and how this council can assist through our tourism policies.

Ashbourne reborn, we have had a meeting with DCC and our MP in relation to the chair of the project board. Unfortunately, his was not very constructive despite the Facebook video that followed as comments reflecting that this council was small and not able to meet the challenges of the project. In all I thought it was negative and unhelpful.

But this is a new beginning, and my door is always open for everyone. We have also been dealing with the recent floods again not just Matlock but district wide and that takes officer time away from normal duties.

To conclude I would like to say a big thank-you to the excellent work of our parks staff in achieving the green flag awards in Matlock and Bakewell, unfortunately Ashbourne just missed out, but an appeal is under way.

Finally, one of our members of staff is about to leave us, this is James's last meeting, Since joining us James you have been like a breath of fresh air, welcomed by all, members and staff alike, your contributions have been unquestionable your professionalism has been unquestionable. We will all miss you however we cannot stand in the way of progression, wish you well in your new post, but we hoped you could stay a little longer.

Thank-you Chair.

79/23 - CHAIRMAN'S ANNOUNCEMENTS

Councillor Steve Flitter gave Councillor David Burton's apologies.

80/23 - COMMITTEES

It was moved by Councillor David Hughes, seconded by Councillor Dermot Murphy and

RESOLVED (unanimously)

That the non-exempt minutes of the Committees listed in the Minute Book for the period 02 March 2023 to 11 July 2023 be received.

The Chair declared the motion **CARRIED**.

81/23 - QUESTIONS (RULE OF PROCEDURE 15)

No questions on notice were received.

82/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Mark Wakeman, Seconded by Councillor Peter Slack and

RESOLVED

That the minutes of the meeting of Council held on 25 May 2023 be approved as a correct record.

Voting

27 For

00 Against

01 Abstained

The Chair declared the motion **CARRIED**.

83/23 - CLEAN AND GREEN REVIEW

The Director of Community and Environmental Services introduced a report outlining the work to date on the review of the Council's Clean and Green service and the recommendations which were deferred by Council on the 16 March 2023.

It was noted that on 26th November 2020 the Council approved a review of its clean and Green Service, including the outlined scope and formation of a Project Team and an Elected Member Sub-Group. Due to the COVID-19 pandemic and the subsequent independent review of the waste collection service, several members of the Project Team were reassigned to leading on the Council's response to these issues, resulting in delays in the completion of this review.

On 16th March 2023, a report outlining the findings and recommendations of the review was presented to Members. Prior to the meeting, the former Leaders Advisory Group (LAG) agreed that only recommendation 1,3 and 6 be considered, as they were viewed to be either time sensitive or offer an opportunity to address current capacity pressures, these recommendations were approved. The remaining recommendations were deferred and had been included in the recommendations of this report, as the former LAG believed new Members were best placed to decide on the future impact of the service.

The recommendations as set out in the report were moved by Councillor Peter O'Brien and seconded by Councillor Boothroyd with the addition of recommendation 2:

2. That the Council confirms its policy of not utilising glyphosate in its weed control and vegetation management activities, other than in respect of the control of invasive species.

And the following amendment to recommendation 4:

4. That officers discuss the feasibility of using alternative weed control methods on land included on the highways contract in the Derbyshire Dales with Derbyshire County Council, with the objective of eliminating the use of products and materials containing glyphosate and that an update be provided to Members.

The recommendations were then each voted on independently, the details of these votes are as follows:

Recommendation 1 – Unanimous

Recommendation 2 – 19 For, 8 Against, 1 Abstention

Recommendation 3 – Unanimous

Recommendation 4 – 19 For, 8 Against, 1 Abstention

Recommendation 5 - Unanimous

Following the voting, it was therefore

RESOLVED

1. That a Supplementary revenue budget of £41,100 is approved for 2023/24, financed from the general reserve, and that £61,658 is included in the next update of the Medium-Term Financial Plan to reflect the subsequent ongoing costs for the introduction of two additional staff for the Burials and Play Area Maintenance team.
2. That the Council confirms its policy of not utilising glyphosate in its weed control and vegetation management activities, other than in respect of the control of invasive species.
3. That the proposed service standards and frequencies set out in Appendix C are introduced as outlined in the proposed timetable (Table 2.58).
4. That officers discuss the feasibility of using alternative weed control methods on land included on the highways contract in the Derbyshire Dales with Derbyshire County Council, with the objective of elimination the use of products and materials containing glyphosate and that an update be provided to Members.
5. That the Project Group, along with a Members Sub-Group, remain in place for the first year of implementation to monitor performance and consider options for future benchmarking.

The Chair declared the motion **CARRIED**.

84/23 - AMENDMENTS TO THE CONSTITUTION

The Director of Corporate and Customer Services introduced a report detailing a series of proposals to amend the Constitution of the Council to ensure that it was relevant and up to date, as well as compliant with the law. The proposals within the report had been developed to improve governance processes and procedures.

It was noted that it was good practice to keep the Constitution under regular review and with the Council last considering changes to the document in July 2022, it was timely to bring forward recommendations that sought to update the document to reflect the changes that had taken place since the election of the new Council in May 2023.

The report also sought members approval to adopt the Local Government Association's Model Code of Conduct for Members, on the recommendation of the Constitution Working Group.

The recommendations as set out in the report were moved by Councillor Peter Dobbs and seconded by Councillor David Hughes with the following amendment to recommendation 4:

4. That, subject to the deletion of the first bullet point of Draft Council Procedure Rule 14.4 and Rule 16.3(a) and the referral of the third bullet point of Draft Council Procedure Rule 14.4 and Rule 16.3(c) to the Constitution Working Group, Part 4 of

the Constitution (Rules of Procedure) be amended on the basis of the insertions and deletions highlighted in Appendix 2 of this report.

The motion was the put to the vote and

RESOLVED (unanimously)

1. That the Constitution be amended to reflect the change in the size of the Council's membership from 39 councillors to 34 councillors.
2. That Article 3 be amended to clarify citizen involvement and participation and remove reference to customer service standards and opening hours.
3. That Part 3 of the Constitution be amended to incorporate the terms of reference for the Biodiversity Sub-Committee, Local Plan Sub-Committee and the insertion and deletion of functions as set out in Appendix 1 of this report.
4. That, subject to the deletion of the first bullet point of Draft Council Procedure Rule 14.4 and Rule 16.3(a) and the referral of the third bullet point of Draft Council Procedure Rule 14.4 and Rule 16.3(c) to the Constitution Working Group, Part 4 of the Constitution (Rules of Procedure) be amended on the basis of the insertions and deletions highlighted in Appendix 2 of this report.
5. That the Members Allowances Scheme, as drafted and published by the Monitoring Officer in accordance with the Council decision on 26 January 2023, be agreed.
6. That Part 5 of the Constitution (Codes and Protocols) be amended to delete the current Code of Conduct for Members and be replaced with the Local Government Association's Model Code of conduct for Members, as set out in Appendix 4 of this report.
7. That Constitution Working Group be tasked with reviewing:
 - (a) Petition Scheme
 - (b) Area Community Forum arrangements
 - (c) Public Participation arrangements
8. That, in accordance with the recommendation from the Community and Environment Committee on 13 July 2023, Contract Standing Orders be amended by inserting a new Standing Order 6.15 in respect of exceptional waivers.

The Chair declared the motion **CARRIED**.

85/23 - CUSTOMER ACCESS STRATEGY 2023-2026

The Director of Corporate and Customer Services introduced a report proposing the adoption and approval of a Customer Access Strategy which would codify for the way in which the District Council would offer a high-quality customer experience to residents, businesses, and visitors to the Derbyshire Dales.

It was noted that over the last four years the Council, through the implementation of a Customer Relationship Management (CRM) system had made significant steps towards improving the outcomes experienced by customers. Due to significant changes over the last three years, it was deemed appropriate for the Council to now introduce a new customer

Access Strategy to make sure it reflected both the current and future needs of the Councils customers and the organisation.

Members were informed that the difficult financial position caused by the ongoing reduction in central government grants and the impacts of the pandemic would mean that the Council as an organisation must strive to look for new efficient ways to do things so that the Council could maintain the high-quality services that its customers deserved.

The recommendations as set out in the report were moved by Councillor David Hughes and seconded by Councillor Dermot Murphy with the following amendment to recommendation 1:

1. That the Customer Access Strategy for the period 2023 to 2026 be approved with the addition of a bullet point on page 264 that reads 'fully prepared with the necessary documents'.

The motion was then put to the vote and

RESOLVED (unanimously)

1. That the Customer Access Strategy for the period 2023 to 2026 be approved with the addition of a bullet point on page 264 that reads 'fully prepared with the necessary documents'.
2. That an annual report detailing progress made in implementing the Customer Access Strategy be submitted to the Governance and Resources Committee for each year of the strategy.

The Chair declared the motion **CARRIED**.

There followed a short adjournment at **8:21pm**, returning at **8:28pm**.

86/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 20:20, it was moved by Councillor Martin Burfoot, seconded by Councillor Robert Archer and

RESOLVED (unanimously)

That in accordance with Rule of Procedure 13, the meeting continue for 30 minutes to allow for the completion of business.

The Chair declared the motion **CARRIED**.

87/23 - LAND AT BAKEWELL ROAD MATLOCK: OUTCOME OF TENDER PROCESS AND OPTIONS FOR FURTHER ASSESSMENT

The Regeneration and Place Manager introduced a report updating members on the outcome of the further invitation to Tender and status of the project. Members were also informed of options to be carried forward for further assessment.

The Updated Business Case for the proposed conversion of the former Market Hall enabling provision of a new indoor leisure attraction – two screen cinema – and enclosure of part of

the adjacent covered bus bay area to provide an ancillary commercial use - food & beverage / retail unit - was approved at the meeting of the Community & Environment Committee held on 1 March 2022. The scheme received detailed planning consent on 8 February 2022 and further reports were considered by Members at meetings of Council held on 22nd July 2022 and 2nd March 2023.

It was noted that since the last report to Members, the further tender process had been completed. Two tenders were received in response to the re-issued ITT. Both tenders exceeded the 2022 cost plan / budget, and despite value engineering, both tender prices had increased. A significant variation in rates and price was also noted and potential financial resilience risks identified.

Members were informed that following evaluation, unfortunately an acceptable / affordable tender had again not been received and the second tender exercise had concluded without a contractor appointment, illustrating the significant challenge of delivering the proposed scheme within the current volatile construction market, impacted by high cost inflation.

In consultation with the Project Management Group, an initial longlist of options was prepared by officers. Following meetings with Ward Members, Leaders and the Chair of C&E, a refined list of options recommended for further assessment were set out in the report.

It was moved by Councillor Martin Burfoot, seconded by Councillor Stuart Lees and

RESOLVED (unanimously)

1. That the update on the project be received and agreed.
2. That Members note the outcome of the second tender exercise which concluded without contractor appointment.
3. That the longlist of options considered for the project be noted.
4. That the refined options be noted and carried forward for further assessment with the support of external consultants with a report on the outcome to be brought back to Members for consideration at the earliest opportunity.

The Chair declared the motion **CARRIED**.

88/23 - ASHBOURNE REBORN GOVERNANCE AND DELIVERY

The Regeneration and Place Manager and the Principal Regeneration Officer introduced a report summarising activity and progress related to the Ashbourne Reborn Levelling Up Fund (LUF) award by Government in January 2023, highlighting key programme risks and setting out proposals for an updated governance structure.

It was noted that Ashbourne Reborn was a £15.22m programme aimed at transforming Ashbourne town centre through significant improvements to highways and public realm and the development of the Link Community Hub. The programme was principally funded by the UK Government through the Levelling Up Fund. The initial Levelling Up Fund capital grant award in January 2023 was £13,373,509, with a further grant of £70,000 awarded in July 2023 to provide revenue capacity support.

The proposed revised governance structure, provided in Appendix 2 and supported by the proposed Terms of Reference in Appendix 3, reflected recent requests for direct Member involvement in Ashbourne Reborn governance and decision making. It was proposed that the membership of the Programme Board be extended to enable this, whilst being chaired by a District Councillor to reflect the status as the Accountable Body. Decisions or recommendations that had implications for the Accountable Body would be escalated to Community and Environment Committee for appropriate consideration.

The recommendations as set out in the report were moved by Councillor Roger Shelley and seconded by Councillor Robert Archer with the following amendment to recommendation 3:

3. That Councillors Peter Dobbs, Steve Flitter, David Hughes and Stuart Lees be appointed to the Ashbourne Reborn Programme Board to represent the District Council.

And the following two additional recommendations:

4. That Councillor David Hughes be nominated as Chair of the Ashbourne Reborn Programme Board.
5. That relevant partners be invited to nominate representatives to enable representation on the Board to be finalised.

The motion was then put to the vote and

RESOLVED (unanimously)

1. That activity and progress to date be received and agreed.
2. That the proposed governance structure and Terms of Reference for the Programme Board are received and approved.
3. That Councillors Peter Dobbs, Steve Flitter, David Hughes and Stuart Lees be appointed to the Ashbourne Reborn Programme Board to represent the District Council.
4. That Councillor David Hughes be nominated as Chair of the Ashbourne Reborn Programme Board.
5. That relevant partners be invited to nominate representatives to enable representation on the Board to be finalised.
6. That delivery partner Project Boards' Terms of Reference are in accordance with paragraphs 2.5 to 2.8 of this report and that they be submitted to the proposed Programme Board for approval.
7. That the highlighted risks and associated mitigation measures be received and noted.

The Chair declared the motion **CARRIED**.

89/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 20:58, it was moved by Councillor Steve Flitter, seconded by Councillor Stuart Lees and

RESOLVED (Unanimously)

That in accordance with Rule of Procedure 13, the meeting continue to enable the business on the agenda to be concluded.

The Chair declared the motion **CARRIED**.

90/23 - PROVISIONAL REVENUE OUTTURN 2022/23

The Director of Resources introduced a report providing details of the provisional financial outturn for the District Council's revenue spending for the year ended 31st March 2023 and significant variations from the revised budget.

It was noted that the provisional outturn on the revenue account for 2022/23 was a surplus against revised estimates (subject to external audit). Most of the areas contributing to the surplus arose from circumstances that were unforeseen at the time the 2022/23 budget was set and arose from one-off, rather than recurring items.

Members were informed that the provisional surplus for 2022/23 (subject to external audit) amounted to £1,956,828. Key reasons for the surplus were detailed in the report.

Subject to the approval of the recommendations as set out in the report it was noted that the Council would have increased its general fund balances from £4.034m at 31 March 2022 to £4.777m at 31 March 2023 and reduced earmarked reserves from £17.739m to £16.871m for the same period.

It was moved by Councillor David Hughes, seconded by Councillor Peter O'Brien and

RESOLVED (unanimously)

1. That the overall General Fund revenue budget outturn position for 2022/23 (subject to external audit) and budget variances at 31 March 2023 as set out in paragraphs 1.1 and 1.2 of the report be noted.
2. That the final required movements in reserves for 2022/23 as set out in Appendix 3b be approved.
3. That the transfer of reserves as set out in section 2.4 to achieve a balanced out-turn position be approved.

The Chair declared the motion **CARRIED**.

91/23 - PROVISIONAL CAPITAL OUT-TURN 2022/23 AND REVISED CAPITAL PROGRAMME 2023/24 TO 2027/28

The Director of Resources introduced a report outlining the provisional (subject to audit) out-turn position for 2022/23 and the revised Capital Programme for 2023/24 to 2027/28. Thirteen new projects were proposed for inclusion in the revised programme.

At a meeting of Council on 2nd March 2023 Members approved a revised capital programme totalling £35,858,944, covering the financial years 2022/23 to 2026/27 which was summarised in table 1 of the report. A revised capital budget of £6,160,505 was approved for 2022/23. Members were informed that the actual total capital expenditure for 2022/23 was £4,233,274. Therefore, there was an overall underspend of £1,927,231.

The expenditure incurred against each project was outlined in Appendix A to the report, which provided explanations for under- and over-spends and whether each project had concluded. Where projects were continuing beyond the end of 2022/23, budget underspends had been carried forward and added to the budget for 2023/24. It was proposed to carry forward £1,814,037 of the provisional underspend from 2022/23 into 2023/24.

The proposed changes to the capital programme for 2023/24 to 2027/28 were set out in part 3 of the report, along with the proposed financing arrangements.

It was moved by Councillor David Hughes, seconded by Councillor Mark Wakeman and

RESOLVED (unanimously)

1. That the provisional Capital Out-turn of £4,233,274, as detailed in Appendix A, be approved.
2. That the explanations regarding significant variances in planned and actual capital expenditure for 2022/23 be noted.
3. That an underspend of £1,814,037 be carried forward at 31 March 2023 and other revisions totalling £96,000 set out in paragraphs 3.1 and 3.2 and Appendix A be approved for inclusion into the capital programme.
4. That new projects totalling £4,652,400 set out in paragraphs 3.5 to 3.18 of the report be approved for inclusion in the programme.
5. That the updated capital programme for 2023/24 to 2027/28 set out in Appendix B to the report totalling £38,450,376 be approved.
6. That financing of the Capital Programme from sources summarised at paragraph 3.21 and shown in Appendix C be approved.
7. That the balance of funds available over the 5-year programme, shown at Appendix C, be noted.

The Chair declared the motion **CARRIED**.

Meeting Closed: 9.15 pm

Chairman

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GYPSY AND TRAVELLER SITE PROVISION IN THE DISTRICT
Agenda Item 10
UPDATED REPORT OF THE TRAVELLER WORKING GROUP
COUNCIL MEETING – 28 SEPTEMBER 2023

Foreword by Councillor Marilyn Franks – Progressive Alliance Lead Member

I would like to introduce this report by reiterating previous comments that the District Council acknowledges its duty as the Housing Authority to provide accommodation to those specific Gypsy and Traveller families with an accepted local connection to the Derbyshire Dales. This Working Group seeks to provide political leadership in identifying potential solutions to an issue that has gone unresolved for far too long.

The task of the working group was to identify two permanent gypsy/traveller sites and the three temporary gypsy/traveller sites based across the district, i.e. in the North, South and Central areas. This report details the work and conclusions of the group. The majority of members of the group accept, that whilst Council-owned car parks are not ideal temporary sites, we have a legal duty to provide accommodation for two families, hence a level of pragmatism was needed when considering the various options. The group agreed that the long-term solution to the issue is to identify permanent traveller sites for the two families where there is a statutory responsibility due to their high level of assessed need and this report outlines proposals which will assist in achieving this aim.

Additionally, the report acknowledges the importance of consultation with all involved, local communities and gypsy and travellers and details how this can take place. Lease agreements outlining expectations and responsibilities were considered and a proposal is contained within the report. The report provides clarity over the council decision making process. The report also makes some recommendations in respect of funding to test out the viability of a possible permanent site and additional officer time in order to further progress the acquisition for sites.

Finally, I would like to express my thanks to the members, officers and Dr Spencer, who have given their time to the deliberations of the group, and provided information and guidance. Also, I would like to thank the officers from regulatory, housing and corporate services for their continuing support to the families thereby ensuring that the council has met its statutory responsibilities.

I trust the council will receive this report in good faith and through supporting the recommendations show a will and determination to find a permanent resolution for the two identified families.

Councillor Marilyn Franks
Progressive Alliance Lead Member

Recommendations

These recommendations were endorsed (except where indicated) for submission to Council by Members of the Traveller Working Group:

- 1. That the Council approves and adopts a requirement to undertake online consultation for a minimum of six-weeks, supplemented by public meetings on proposals to allocate land for use as temporary or permanent Traveller sites with relevant consultation materials being made available on the Council's website and in other formats to enable a wide level of response.**
- 2. That the Council approves and adopts the decision-making processes outlined in the report in respect of permanent and temporary Traveller sites which clearly sets out the various stages involved in a clear and transparent manner and encourages engagement and participation in those decision making processes.**
- 3. That the Council recommends the Planning Policy Manager to amend the assessment of Clifton Road Coach and Car Park against Local Plan Policy HC6 in view of the representations received from a member of the public.**
- 4. That the Council agrees to undertake a period of six-weeks of online consultation supplemented by public meetings in respect of designating The Woodyard, Homesford as a temporary or permanent Traveller site post completion of the RIBA stage 3 assessment.**
- 5. That following positive engagement with the Traveller families and confirmation that the site is a viable option, authority be delegated to the Director of Housing to commission the necessary works up to RIBA Stage 3 (planning submission) and that a supplementary revenue budget of £25,000 be financed from the General Reserve to facilitate this work.**
- 6. That the Council appoints land agents to proactively seek suitable locations and undertake targeted engagement with local landowners and organisations, such as the NFU, to establish whether any landowners would be willing to enter into negotiations.**
- 7. That the Council approves a supplementary revenue budget of £33,000 to be financed from the General Reserve to establish a 2 year fixed term contract position(s) as recommended by the Corporate Leadership Team to assist with the search for sites and manage any future designated sites.**
- 8. That the Council adopt Licence Agreements to establish agreed standards of behaviour and outline what action the Council will take in the event of breaches of the agreement.**

REPORT OF THE TRAVELLER WORKING GROUP

COUNCIL – 28 SEPTEMBER 2023

1. Introduction

- 1.1 This report has been prepared by a cross party, Member-led working group that was established to make recommendations to the Council proposing solutions in respect of sites that may be suitable for occupation by Gypsy and Traveller families to whom the District Council has a statutory homelessness duty.
- 1.2 The working group was established after the local elections in May 2023 after the Leader of the Council indicated in his first address that finding suitable sites across the Derbyshire Dales would continue to be a priority for the new Council. Following this a representative from each political group has been appointed to work with officers to identify solutions. The following are members of the working group:
- Councillor Marilyn Franks – Liberal Democrat Group
 - Councillor Susan Hobson – Conservative Group
 - Councillor Laura Mellstrom – Green Party Group
 - Councillor Peter Slack – Labour and Councillor O'Brien Group
- 1.3 This report focuses on providing clarity to all those affected by or interested in the Council's efforts to identify suitable locations for Traveller site accommodation within the Derbyshire Dales. A combination of recommendations are submitted for Council's consideration to confirm processes in respect of consultation and decision-making, but the report also seeks to commence consultation and assessment of other sites in the Council's ownership that may be suitable for this purpose on a temporary basis.

2. Consultation Procedures for Proposed Sites

- 2.1 Local authorities do not normally find themselves in a situation of identifying potential sites for Travellers in the way that Derbyshire Dales needs to at the present time. Ordinarily, the process for the identification of sites is undertaken as part of adopting a Local Plan. Indeed, the last iteration of the Derbyshire Dales Local Plan did include the identification of a potential permanent site, but this option was quickly lost following a change of position from Derbyshire County Council in respect of the site. Therefore the Council is now in the position of having to identify options for permanent and temporary sites outside of this process.
- 2.2 One of the overriding messages from the leaders of all political groups on the Council is that decision making needs to be open and transparent. Having kept this principle at the fore of our minds, the working group considers that there are approaches from the Local Plan process that can

be followed in respect of consultation on proposals for either permanent or temporary sites. Looking to the future, all proposals should be subject to a period of six-weeks of consultation to enable all stakeholders to provide feedback that Members can have regard to when making decisions on potential permanent or temporary sites.

2.3 It is also recognised that the Council will need to prepare proposals for consultation and be proactive in seeking responses and attempting to address concerns during that consultation period and process. Meaningful consultation is underpinned by good communication. Local authorities have been successful in their approach to consultation where they have set out answers to the following points:

- The need for accommodation for Travellers
 - What is the need identified within the Gypsy and Traveller Accommodation Assessment for Derbyshire and East Staffordshire?
 - How is a 'pitch' defined?
 - How are the terms 'Gypsy and Traveller' defined, and what process is carried out to confirm if people meet this criteria?
- Site Selection
 - There is a lot of unused land across the Derbyshire Dales, so why is this site being considered?
 - Why are none of the sites located in the Peak District National Park?
 - Why can't the site be located in another neighbouring authority?
 - Why can't the site be allocated in a more rural location?
 - Why can't one of the identified housing allocations be used for this purpose?
- Site Constraints
 - I don't think this site is suitable for development. What assessments have the District Council carried out to ensure that the site is deliverable?
 - How will any identified constraints be managed and mitigated against?
 - I am concerned that development of the site will impact on the views from my house
 - A number of other options have been ruled out because of size. What are the size requirements for a site of this type?
 - Will a Gypsy and Traveller site put additional strain on key services? How will this be addressed?
- Managing and running of the site
 - What happens once the land is allocated?
 - How will the site be managed?

- How will it be ensured that more than x (number of) pitches will not be put on the site?
- Do Travellers pay Council Tax, Rent and Charges?
- Public Engagement
 - Will there be public meetings to discuss this proposal?
 - Why has the consultation been structured in this way?
 - How will my consultation response be used following the consultation?

2.4 It is recommended that the above structure forms the outline of any information provided as part of any future initial consultation process, with surveys to be undertaken online via the Council's website, in respect of Traveller sites with additional resources made available online through the Council's website and also through its social media channels. It is also recommended that questions are structured as follows:

- 1. Do you agree that we need to find sites for the x pitches arising from the definition of Travellers in the Government's Planning Guidance for Travellers?**
- 2. To what extent do you agree or disagree with this proposal as our preferred option?**
 - **Strongly agree**
 - **Agree**
 - **Neither**
 - **Disagree**
 - **Strongly disagree**
- 3. Do you have any suggestions as to how such a site could be managed if it were developed for use by Travellers on a permanent/temporary basis?**
- 4. Can you suggest any reason why such a site could not be occupied for 12 months of the year? What are the seasonal implications associated with the use of the site?**
- 5. Do you have any comments regarding this proposal?**
- 6. Can you suggest any other sites that are available and suitable for temporary stopping use?**

2.5 It is recommended that feedback sessions are held in locations where Traveller sites are proposed to be located so that all stakeholders (which include but is not limited to specific Traveller families concerned, local residents and businesses, Ward Members and Parish Councils) have an opportunity to ask questions, share their views and offer solutions. As well as promoting through the usual social media channels, parish councils should be encouraged to share details of consultation events to ensure that

there is full awareness of any proposals. These events should be facilitated by relevant staff and Ward Members, along with members of the relevant body proposing the site. It was noted that Derbyshire Gypsy Liaison Group would be willing to attend consultation sessions and it may be the case that representatives of the specific Traveller families concerned may also wish to attend such sessions.

- 2.6 It is the view of the Working Group that any and all consultation processes in respect of permanent or temporary sites should be undertaken for a minimum of six-weeks. This is recommended on the basis that the above actions are agreed by the Council to form the outline of all consultations in respect of Traveller sites in the Derbyshire Dales.

3 Decision Making Procedures

- 3.1 Members of the Working Group have been mindful of the need to establish clear, open and transparent procedures for decision-making. It is recognised that where these procedures are established, clearly communicated and followed there will be greater confidence in the Council even where there are disagreements over the actual decisions that have been made. On this basis Members have identified that the Council should agree and communicate the processes that will be followed when considering any options for allocation or development as permanent or temporary sites for Travellers.
- 3.2 Whilst it is not explicitly stated in the Council's Constitution, decision-making in respect of the designation of Council-owned land for use by Travellers is a matter reserved to Council. This has become the default position following a vote at a Council meeting in July 2021 which effectively removed delegated authority for officers to manage the specific Traveller families to whom the Council has a statutory homelessness duty. Since that time all matters have been reported to full Council and this will continue to be the case until such a time as the Council delegates authority to a committee or officer.
- 3.3 The identification and delivery of sites is a clear priority for all political groups on the Council and there is a stated desire to move at pace in this particular area of work. This working group, and the former Gypsy and Traveller Working Group, has been established to bring pace and Member input and oversight of this work for that exact reason. Whilst this is important, it is obvious that any decisions that the Council may make will be subject to challenge from various parties so ensuring that decision-making processes are robust and sound is a key consideration.
- 3.4 In identifying solutions the Council is likely to be presented with two approaches to the provision of either permanent or temporary sites. The first will be to allocate land already in the ownership of the Council where the level of expenditure required is below £25,000. In such situations, subject to consultation processes being undertaken, the Council would be recommended to adopt the site and for planning permission to be sought.

The other approach would be to acquire or lease land owned by another individual or organisation. It would follow this process:

- **STAGE 1: - Traveller Working Group** – considers merits of the site and considers whether to recommend that the Council commence consultation on a site.
- **STAGE 2 – Corporate Leadership Team** – prepares a report for Council outlining the recommendation of the Traveller Working Group and provides officer advice on implications associated with a proposed site, as well as recommending that a period of consultation be initiated for a period of six-weeks.
- **STAGE 3 – Council** – to establish whether there is potential merit in a site, agreeing arrangements for consultation and engagement with local residents and other stakeholders, and to determine whether and when to authorise officers to submit a planning application to judge the site against planning considerations (if planning permission does not exist on a site)
- **STAGE 4 - Planning Committee (if required)** – if the Council consents to the submission of a planning application, the role of this Committee would be to consider the recommendations of the Planning Officer and feedback from statutory consultees and the public. This will all be subject to consultation in accordance with planning law, and the Committee will have to determine whether any application met the threshold for approval or should be refused
- **STAGE 5 – Council** – the Council will have to consider the outcome of the planning process and any further consultation activity with local people and the specific Traveller family, to determine whether to proceed with the development of the site or to consider what steps to take in light of a planning process that had resulted in refusal

3.5 In the event that land not owned by the Council is identified and where there will be a need to enter into a commercial negotiation, or where the Council owns the land but will need to spend capital monies on its own land, this will require a much more detailed process which would require viability assessments and the allocation of funding in the event that the Council chose to proceed to acquire or lease land. Such a process is outlined within the Council's Financial Regulations but it is worth reiterating the process here in seven stages which would apply to any site requiring expenditure above £25,000 regardless of ownership:

- **STAGE 1 – Traveller Working Group** – considers merits of the site and considers whether to recommend that the Council commence consultation on a site.
- **STAGE 2 - Capital Programme Working Group** – an officer body (referred to in the Council's Financial Regulations) with responsibility for

assessing a full business case, which must be completed for each proposed capital project, and for making recommendations to the Corporate Leadership Team

- **STAGE 3 - Corporate Leadership Team** – review proposals from the Capital Programme Working Group, taking into account the Council’s priorities, the availability of funding etc. and decide whether to make a recommendation to the relevant policy committee.
- **STAGE 4 – Community and Environment Committee** - where projects are expected to incur expenditure of over £25,000, or those of a political nature, a report is required to the relevant policy committee before the project is referred to Council for inclusion in the Capital Programme
- **STAGE 5 – Council** – to consider inclusion of the project in the Capital Programme and to establish whether there is potential merit in a site, agreeing arrangements for consultation and engagement with local residents and other stakeholders and, to determine whether and when to authorise officers to submit a planning application to judge the site against planning considerations (if planning permission does not exist on a site)
- **STAGE 6 - Planning Committee (if required)** – if the Council consents to the submission of a planning application, the role of this Committee would be to consider the recommendations of the Planning Officer and feedback from statutory consultees and the public. This will all be subject to consultation in accordance with planning law, and the Committee will have to determine whether any application met the threshold for approval or should be refused
- **STAGE 7 – Council** – the Council will have to consider the outcome of the planning process and any further consultation activity with local people and the specific Traveller family, to determine whether to proceed with entering into an agreement for the purchase or lease of the land and agree to the development of the site or to consider what steps to take in light of a planning process that had resulted in refusal.

3.6 The above indicates that the decision-making process will not be one that moves quickly and will have multiple opportunities for public involvement. Whilst the absence of pace could be a cause for frustration, it will increase public confidence to take matters through a clearly defined and transparent decision-making process and it will also reduce the likelihood of a successful challenge against a decision because a correct process has been followed.

3.7 Such a process will also give the public confidence that there will be sufficient airing of issues and opportunities for engagement and debate. Whilst some may not agree with a decision, setting out a clear decision-making process will increase confidence that the Council is acting in an open and transparent manner. This is important in such matters given the history of this particular issue in the Derbyshire Dales. It is recommended

that the Council formally agrees these approaches and makes them available in an accessible format on the website so that anyone can access information on the decision-making process for future discussions.

4 Specific Sites to consider for designation as Temporary Traveller Sites

4.1 The Working Group consists of two longstanding Members and two Members who were newly elected in May 2023. As such, Councillors Franks and Mellstrom, along with Councillor Slack who was not a member of the former Gypsy and Traveller Working Group, visited the sites that were recommended by officers to the Council and rejected in July 2021. They also visited some other sites that had been considered by the previous Gypsy and Traveller Site Provision Working Group in 2022. Councillor Hobson, who had previously chaired the former Gypsy and Traveller Site Provision Working Group and had visited the sites in 2022, did not attend.

4.2 The sites visited were:

- Artists Corner Car Park, Matlock Bath
- Matlock Bath Station Yard Car Park
- The Woodyard, Homesford
- Middleton Road, Wirksworth
- New Road, Middleton
- Fishpond Meadows Overspill Car Park, Ashbourne
- Clifton Road Coach and Car Park, Ashbourne
- Watery Lane DCC site, Ashbourne
- Watery Lane District Council Depot, Ashbourne,
- Matlock Station Car Park, Derwent Way, Matlock
- Old Station Close Car Park, Rowsley
- Agricultural Business Centre, Bakewell

4.3 Following these visits, Councillors Franks, Mellstrom and Slack discussed the pros and cons of these locations with Councillor Hobson at a meeting of the working group. Being mindful of the wishes of the Leader of the Council to identify options in the north, south and central areas of the District, discussions focused on could be delivered within the Council's ownership and what may be available.

4.4 The working group were only able to establish a consensus in respect of one site in the Council's ownership – Matlock Station Car Park – which is currently occupied by a specific Traveller family.

4.5 The working group did not agree on the suitability of Matlock Bath Station Yard Car Park as a temporary site. This site has been occupied by a specific Traveller family since November 2022, having been designated as a temporary Traveller site by the Council until January 2023. The specific Traveller family have remained on this site as no alternative sites have been identified or designated by the Council. Councillor Hobson indicated her

view that the family should remain at this site having been designated by the previous Council, but the other three Members of the working group consider that this location is not suitable, particularly during the summer time with increased use of the car park by visitors and tourists. The working group acknowledges the frustration of the specific Traveller family and their desire to relocate to a more suitable location. The working group is also aware of the strong representations made by residents and Matlock Bath Parish Council in respect of the length of time that the specific Traveller family has remained in situ. The majority view of the working group (not supported by Councillor Hobson) is that an alternative location must be identified for this specific Traveller family.

- 4.6 The working group acknowledges the efforts of Council officers to manage the challenges of reduced coach parking at the Matlock Bath Station Yard Car Park during the 2023 tourist season. Arrangements were made for alternative parking at Cromford Meadows, which has largely worked well.
- 4.7 Due to the lack of coach parking facilities at Matlock Bath, several coach firms have advised that they have removed this as a destination for their customers, choosing other locations across Derbyshire which ensure adequate parking facilities are available for coaches and their passengers, which do tend to be the older generation. They feel they have been undervalued as an industry which brings a significant number of visitors/tourists to the area who do contribute financially to the businesses and the local area.
- 4.8 That being said, they have stated that should the situation change and the coach parking area becomes available, they will consider adding Matlock Bath again to their list of destinations. A decision would have to be made quickly for Matlock Bath to be included for next year's tourist season.
- 4.9 There was unanimous agreement to further continue discussions in respect of The Woodyard at Homesford, which is not owned by the Council, but there was an awareness that the landowners were open to negotiation. Whilst the Council have resolved (12th September 2023) to grant planning permission for this site (23/00630/FUL - Change of use of land to 8 no. pitch traveller site with associated new access), Members recognised that a viability assessment would still be required to report on access to services and ground stability. The working group unanimously supports and recommends consultation in respect of this site as a potential temporary Traveller site. The working group also unanimously recommends that the Council allocates funds for further investigation of The Woodyard, subject to the Council (via the Traveller Working Group), having prior engagement directly with the Traveller families concerned to confirm that the site represents a feasible and viable option for them.
- 4.10 There is understandable enthusiasm from some to press on with the Woodyard site, however there are also a number of predevelopment issues for the Council to consider, not least the process set out in para 3.5 above which would need to be followed in the interests of openness and

transparency. The Council will need to undertake its own due diligence. The approved planning application did not provide detail on access to services, the nature and stability of the ground or any form of amenity building. The current national guidance for the provision of permanent traveller sites includes government publications and more recently 'Places we're proud of' (2021) published by the National Policy Advisory Panel on Gypsy and Traveller - 'A short guide to providing and managing sites for Gypsies and Travellers'. This guide highlights best practice in the delivery of the permanent plan led traveller sites. The examples from other areas are impressive and highlight the work required to transform the Homesford site into a suitable place for travellers to call their home. The guide is attached at Appendix 1.

- 4.11 In order for the Council to be satisfied that The Woodyard is a permanent, deliverable Traveller site, the following works would need to be undertaken, prior to the Council determining its future position and engaging in discussions about potential lease or acquisition terms etc. (estimated costs are excl. VAT) :

1. Flood Risk assessment	£1,200
2. Topographical survey	£1,000
3. Phase 1 Habitat Survey including protected species.	£2,500
4. BNG- impact assessment by Ecologists	£2,000
5. Utility searches	£200
6. Drainage strategy by engineers	£1,500
7. Site investigation Ph1 & 2	£6,000
8. Planning drawings , site layout, sections submission to planning for building / engineering works	£5,000
9. Visual appraisal from the A6	£1,800
10. Cost advice	£450
Total	£21,650

In order to progress with an evaluation of The Woodyard, it is recommended that following positive engagement with the Traveller families and confirmation that the site is a viable option, authority be delegated to the Director of Housing to commission the necessary works up to RIBA Stage 3 (planning submission) and that a supplementary revenue budget of £25,000 be financed from the General Reserve.

- 4.12 In considering sites across the Derbyshire Dales that are within the Council's ownership, the Working Group noted a representation from a member of the public in Ashbourne concerning the size of the Clifton Road Coach and Car Park which had been visited by the previous Gypsy and

Traveller Site Provision Working Group and referred to in Appendix 2 of their report to Council on 24 November 2022. Whilst the Appendix cannot be republished as it is the report of the former Working Group to Council, this working group is happy to correct the public record that the Clifton Road Coach and Car Park was not accurately described in size. The member of the public has indicated that the assessment of the site on this basis would be Red (not viable) in relation to Policy HC6 of the Derbyshire Dales Local Plan, which provides the planning policy basis for any decisions in relation to permanent Traveller sites within the local planning authority area. It is recommended that Planning Policy Officers revisit the exercise of evaluating Council owned land against Planning Policy HC6, having regard to the representations received specifically in respect of Clifton Road Coach and Car Park.

5 Identifying potential locations for Permanent Traveller Sites

- 5.1 This process will need to dovetail with the review of the Derbyshire Dales Local Plan which was highlighted as a priority for the new administration after the elections in May 2023. This was previously agreed by the Council in July 2021 and is standard practice for authorities considering the allocation of land for purposes under the Local Plan framework.
- 5.2 The working group considered that the Council needed to be more imaginative in its search for suitable sites across the district. Previous calls for sites from landowners had not resulted in suitable locations being identified. The working group felt it was important to engage new land agents to assist with the search for sites and also recommend that officers engage with the local NFU representatives to encourage the promotion of land currently used for farming for consideration.
- 5.3 In essence, the Working Group consider that a more targeted approach to the identification of sites is required than the “distress call” approach of previous calls for sites. A proactive and engaging approach, coupled with clarity of purpose and understanding in respect of decision-making processes, was considered to be the correct way forward. The Working Group unanimously recommend this approach to the Council.
- 5.4 A representative of Derbyshire Gypsy Liaison Group (DGLG) met with the Working Group in August 2022 to represent the specific Traveller families and provide an informed view in respect of the opportunities and challenges in identifying potential sites in the Derbyshire Dales. The working group welcomed the advice of Dr Spencer and asked for DGLG to work with the specific families to identify potential plots of land that may be suitable in meeting their needs. Since that time, they have actively looked for potential plots of land that could be developed and have approached officers with their suggestions. At the time of drafting this report, officers are approaching the relevant landowners to establish whether there is any interest in potential negotiations. Any progress in respect of these options should be made according to the provisions set out above regarding consultation and decision-making.

6 Resourcing the Council's ambition

- 6.1 Over many years the Council has managed its responsibilities in respect of Travellers through the hard work and dedication of specific staff across a number of Council services. The Constitution of the Council provides Environmental Health and the Director of Regulatory Services with authority to deal with unauthorised encampments, but no other officers have any authority to make decisions in respect of Travellers or Traveller sites. The Council expressly revoked the authority of officers in July 2021 and effectively reserved all decision-making to all Members of the Council alone.
- 6.2 Whilst the Working Group acknowledges that the full Council continues to be the appropriate decision-making body to allocate or designate sites for use by Travellers to whom the Council has statutory homelessness duty, Members have been receptive to the advice of officers that the resources allocated to address the identification of sites and then manage any agreed site do not match the priority that the Council has given to this issue. The contributions of Service Directors to this work has been commendable, but the extent of the portfolio of responsibilities held by these officers means that it can be difficult to make progress.
- 6.3 Officers have advised the Working Group that they consider it necessary to allocate a specific resource to the task of identifying sites for consideration and undertaking the assessments and studies required to bring forward sites. Such a role may be initially akin to the existing Rural Housing Enabler role. However, in the longer-term the resource requirement may alter and require an individual who can potentially manage sites, undertake community engagement and enable access and support from other public sector agencies.
- 6.4 Officers have estimated that two Directors spend the equivalent of a day each on Traveller related issues every week. A rough cost estimate of their time would be approximately £39,000 per annum (including on-costs). In addition, the following resources are currently expended on a regular basis:
- Environmental Health officers – 1 day per week on average for site management.
 - Council Solicitor – 0.5 days per month.
 - Clean and Green Team – involved when we evict and clean a site.
 - Derwent Treescapes for site works - £6,720 in 2022/23
 - Wheeled bin recharges - £4,764 in 2022/23.
 - Provision of Portaloo's - £21,600 in 2022/23.
- 6.5 Whilst it is acknowledged that further work is required to establish the exact requirements of a post, that is not a matter for Members to determine. It is the role of officers to manage the authority within the budgetary framework set by the Council. It is therefore recommended that the Council make provision within the revenue budget for such a post to be established.

6.6 This new post, which may be part-time to start, would focus primarily on enabling the development of permanent and temporary traveller sites as required. The post would also be the single point of contact for enquiries and leading on the consultation process. The post would be based in the Housing Department.

7 Managing Designated Sites

7.1 The challenge of providing suitable site accommodation for the specific Traveller families is considerable and this is made much more difficult because of the perceptions held by some in respect of the role of Council and the impact of Travellers in any given location.

7.2 The Council has powers to remove unauthorised encampments from its land across the Derbyshire Dales, but it cannot seek to evict specific Traveller families to whom it has an accepted statutory homelessness duty. In the event that the District Council seeks to move those specific families, a Magistrate will require the Council to detail where the specific families are to move to before granting any eviction order.

7.3 Should the Council be successful in identifying, allocating and developing temporary or permanent sites for the specific Traveller families it will in effect become a landlord for the Traveller families, who will be regarded as licensees on the sites provided. Officers have drafted a Licence Agreement which will act as a legal contract stating the rights and obligations of the Derbyshire Dales District Council and of the Licensee on any site.

7.4 The agreement would cover the following requirements:

- Payment of rent for use of the Designated Site, the day of the week on which payment was due and the regularity of payments required
- The application of all rules in respect of the site to all persons listed as occupying the Designated Site (anyone not listed will be evicted)
- The licensee being responsible for the behaviour of all persons on Designated Site
- Not tolerating harassment of any person residing on or visiting the Designated Site
- Not tolerating nuisance, annoyance or disturbance to any other person engaged in a lawful activity in the locality of the Designated Site
- The licensee must not, either on the Designated Site or in the locality of the Designated Site commit any criminal offence and/or use or supply illegal drugs and/or use for any immoral purpose
- the Designated Site must be kept in good clean condition with all rubbish being placed in the bins provided

- the Licensee and other persons permitted to occupy the Designated Site must use toilets where provided; if no toilets are provided, must not go to the toilet in public view and not leave used toilet paper lying around
- the Licensee must keep all animals under control and all mess should be cleaned up
- The Licensee must not leave children under the age of 16 unattended on the Designated Site at any time
- The Licensee must keep noise within reasonable levels so as not to disturb others residing in the locality of the Designated Site, with generators not being permitted for use after 10 p.m. or before 7 a.m.
- The Licensee must park vehicles safely and they should not obstruct public highways or rights of way
- The Licensee must ensure litter or rubbish – this includes domestic waste and trade, is disposed of in the correct manner i.e. in bags/bins provided or local waste stations
- The Licensee must not damage any facilities provided by the Council
- The Licensee must not chop down or damage any trees in the locality of the Designated Site.

7.5 In setting out the standards and requirements expected for any future designated sites, the Council will serve notice to end a licence if the Licensee has breached any of the terms of the agreement or if Council has ended any of its duties as defined in Part 7 of the Housing Act 1996 as amended by the Homelessness Reduction Act 2017. In effect, this agreement defines the consequences of not complying with the requirements set out.

7.6 The Working Group is supportive of this approach and unanimously recommends the adoption of such Licence Agreements to provide clarity of understanding between the Council and any Travellers accepted on designated sites. It will also provide reassurance to other interested parties of the standards expected and an understanding of the action that the Council will take where those standards are not met.

7.7 Managing permanent traveller sites is not something the Council has previous experience of. With our own council housing, the management is contracted out to Nottingham Community Housing Association and reflects the complexity and specialist skills required of modern social housing management. Managing a traveller site will require the council to either contract with a specialist management provider or recruit a new post that can provide the service. Budgetary provision will be required for the management service. Officers will review arrangements put in place by other councils to before making recommendations to Council.

8 Conclusions and Recommendations

- 8.1 The Working Group has approached this challenge by learning lessons from the previous approaches adopted by the Council in seeking to deliver the required accommodation provision for specific Traveller families. This is not an easy task, but it should be done in an open and transparent way. The working group unanimously recommend:

Consultation Processes

- 1. That the Council approves and adopts a requirement to undertake online consultation for a minimum of six-weeks, supplemented by public meetings, on proposals to allocate land for use as temporary or permanent Traveller sites with relevant consultation materials being made available on the Council's website and in other formats to enable a wide level of response.**

Decision-Making Processes

- 2. That the Council approves and adopts the decision-making processes outlined in the report in respect of permanent and temporary Traveller sites which clearly sets out the various stages involved in a clear and transparent manner and encourages engagement and participation in those decision making processes.**

Identifying Potential Temporary Sites

- 3. That the Council recommend the Planning Policy Manager to amend the assessment of Clifton Road Coach and Car Park against Local Plan Policy HC6 in view of the representations received from a member of the public.**
- 4. That the Council agrees to undertake a period of six-weeks of online consultation supplemented by public meetings in respect of designating The Woodyard, Homesford as a temporary or permanent Traveller site post completion of the RIBA stage 3 assessment.**
- 5. That following positive engagement with the Traveller families and confirmation that the site is a viable option, authority be delegated to the Director of Housing to commission the necessary works up to RIBA Stage 3 (planning submission) and that a supplementary revenue budget of £25,000 be financed from the General Reserve to facilitate this work.**

The Working Group recognised that there was a need to undertake further work to identify potential locations for permanent Traveller sites which would complement the review of the Local Plan. As such the Working Group unanimously recommend:

Identifying potential locations for permanent site provision

- 6. That the Council appoint land agents to proactively seek suitable locations and undertake targeted engagement with local landowners and organisations, such as the NFU, to establish whether any landowners would be willing to enter into negotiations.**

Providing an appropriate level of resource within the authority to meet our responsibilities will be key to giving confidence to the specific Traveller families and the wider community. The Working Group understands that there is no specific resource allocated presently, with members of the Corporate Leadership Team spending a disproportionate amount of time on issues connected to Travellers. It is therefore recommended:

Allocating resources

- 7. That the Council approves a supplementary revenue budget of £33,000 to be financed from the General Reserve to establish a 2-year fixed term contract position(s) as recommended by the Corporate Leadership Team to assist with the search for sites and manage any future designated sites.**

Looking to the future, it will be necessary to set standards and provide assurances in respect of how the Council intends to operate and manage designated sites. The Working Group recommends the use of Licence Agreements between the Council and Travellers occupying any future designated sites:

Managing Designated Sites

- 8. That the Council adopt Licence Agreements to establish agreed standards of behaviour and outline what action the Council will take in the event of breaches of the agreement.**

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Places we're proud of



A short guide to providing and managing sites for Gypsies and Travellers



About this guide

This short guide shares some key lessons and strong examples to prompt more housing associations and local authorities to get involved in providing good-quality sites for Gypsies and Travellers.

It's produced by the National Policy Advisory Panel on Gypsy and Traveller Housing, which is a group of housing providers committed to extending provision and raising standards of this much-needed type of accommodation.

The guide is based on research funded by the Joseph Rowntree Foundation, undertaken by De Montfort University in Leicester and published by the Chartered Institute of Housing in 2016.¹ This showed how vital it is for existing sites to be well managed, before seeking political and public support for plans to build new sites. The 2016 study identified a list of essential ingredients for effective site delivery and management, which this guide amplifies and illustrates with successful case studies from across the UK.



Baroness Cathy Bakewell
Vice-Chair of the All Party
Parliamentary Group on
Gypsies, Travellers and Roma

Foreword

I am delighted to be able to welcome this guide to providing and managing Gypsy and Traveller sites, produced by the National Policy Advisory Panel on Gypsy and Traveller Housing. It is welcome to see housing providers driving debate on Gypsy and Traveller accommodation. There are excellent examples of housing associations and local authorities working together to provide and manage sites in their areas.

Their message is that housing providers can and should include Gypsy and Traveller sites in their plans for developing new housing. Their offer is for you to join them, to ask questions, share challenges and advice with other housing providers in order to support your own development ideas in providing accommodation, where it is needed for all members of our communities.

I feel confident that this is the start of a real change in accommodation provision. I congratulate Boris Worrall and Professor Jo Richardson on an excellent piece of work.

Front cover photo: Elim Housing's Greenfields Way site in Weston-super-Mare, opened in 2015.

Back cover photo: Young residents celebrating the tenth birthday of Broadland Housing Group's Brooks Green site near Norwich in 2019.

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1. Why we need high-quality Gypsy and Traveller sites

Gypsies and Travellers are an important part of Britain's population, heritage and social fabric. Providing well-designed and managed sites for these groups supports happy and healthy communities and addresses wider determinants of health, education and employment.

This is not solely the realm of housing – other public services should care about this issue too, including public health, children's services and others, because the symptoms flowing from a lack of quality accommodation end up presenting in schools, hospitals, welfare services and prisons. As a business case, the delivery of appropriate sites has been shown to save public money from being spent on endless evictions from unauthorised encampments.

Broadland Housing's Brooks Green site at Harford on the outskirts of Norwich.



2. What works

This guide highlights five key success factors based on the Richardson and Codona (2016) study and lessons learned from the information and experiences shared through the National Policy Advisory Panel since 2018.

Ultimately, the key priorities for Gypsies and Travellers are that their site is in good and safe repair, clean and quiet so they can feel at home and have a place with the freedom to carry on their lifestyle without discrimination. Sitting alongside these five key ingredients is the need to take a considered and negotiated approach, particularly with respect to unauthorised encampments. We do not go into detail on negotiated stopping in this short guide, but there are a number of good sources of advice and best practice about this aspect of provision.²

These are the lessons that we see as the most important to housing providers in the delivery and management of sites:

1. Good site design with appropriate facilities
2. Strategic, not reactive, local planning decision-making
3. Clear plans, policies and lines of accountability – working with residents in order to build trust
4. Good site management, including clear processes for repairs and maintenance and intensive support for residents where necessary
5. Strong collaboration and communication

Neat streets – Elim Housing's Greenfields Way site.



3. Good site design and facilities

Many of the key considerations involved in providing other types of housing apply to sites for Gypsies and Travellers.

Important design points include:

- Building homes, not units
- Making sites safe and accessible for people with disabilities
- Following site design and best practice guides³ to meet high architectural standards and health and safety regulations
- Providing child-friendly sites with safe spaces to play
- Including community spaces and buildings to help promote togetherness, combat loneliness and provide a hub for support services to residents
- Locating sites for sustainability, close to schools, shops and healthcare
- Providing parking for professional services and room for family and visitors to stop safely for a short while
- Investing in kind design, with soft aesthetic features rather than custodial elements like gates and locks
- Involving Gypsy and Traveller customers from the concept stage through 'planning for real' and other co-production approaches to community design
- Getting builders, repairs contractors and everyone else on board with awareness and equality training.



An enduring and important part of Gypsy and Traveller life – horse paddock at Rooftop Housing Group's Gables Close site in Solihull.

Good site design in action

1

**Greenfields Way,
Weston-super-Mare
and Carrswood View
Transit Site, Bath,
Somerset**

Elim Housing
elimhousing.co.uk
37 pitches
completed 2015

Elim's experience on these two sites highlight the importance of getting some key elements right at the earliest stages of design and planning:

- **Variety of pitch sizes** – including small, medium and large pitches at Greenfields Way enabled different sized families to be accommodated (equivalent to two, three and four-bedroom houses) and contributes to affordability.
- **Accessibility** – the schemes include eight accessible homes to cater for the higher proportion of households with people who have disabilities in the Gypsy and Traveller community. These homes feature wet rooms and mobility scooter charging points.
- **Clearly defined and practical pitch boundaries** – to make each household's responsibilities clear. Pitches provide safe and secure spaces for children and animals, with fencing that's easily removable to accommodate large static caravans or park homes. The whole site has 'folding fences' to enable mobile homes and vehicles to move in and out easily and safely.
- **Security** – including closed circuit television CCTV, entrance barriers and blocks to prevent unauthorised use of vacant pitches. Installing CCTV in communal spaces provides security but must be done in consultation with residents.
- **Sustainability** – including green roofs, solar panels and timber cladding to help the site blend in with the local landscape.
- **Collaboration with residents** – to adjust the amenities and arrangements as the sites mature.

Green roofs and security features at Elim Housing's sites in the south west of England.



2 Gables Close,
Solihull,
West Midlands

Rooftop Housing Group
rooftopgroup.org
11 pitches
completed 2015

The access roadway at Gables Close is wide enough for large vehicles, with LED streetlights, plenty of parking bays and a separate area to keep work vehicles. The homes are well-designed and insulated for energy efficiency, with water meters for every plot to give clarity about water use and bills.

There are two permanent pitches for two caravans, two car parking spaces and one 'Pod' (a compact living/bedroom, kitchen, bathroom, storage and utility room, designed by BM3 Architects⁴ and built by Speller Metcalfe⁵). In the centre of the site there's also a large green space with a pirate ship children's play area and a pony paddock.

Rents are in line with local bedsit accommodation and are sufficient for the scheme to break even in 23 years after completion. Total scheme costs were £1.2 million (including £960,700 works costs), funded by Homes and Communities Agency grant of £575,000 and a Rooftop loan of £635,739.

Interior and view of shared space and amenities at Gables Close.



4. [BM3 Architects/practice](http://BM3Architects/practice)
5. [Speller Metcalfe/About us](http://SpellerMetcalfe/Aboutus)

3

**Brooks Green
Harford, Norfolk**

Broadland Housing Group
broadlandgroup.org
8 pitches
completed 2009

The Brooks Green site is located close to the main A47 road on the outskirts of Norwich, so offers easy accessibility for residents. The permanent pitches are rented by occupiers in exactly the same way as Broadland's other affordable homes, and each has an attached building providing kitchen/dining, bathroom and toilet facilities, under a living green roof.



"I lived on a site when I was younger, and the facilities were tiny and very basic. Here we've got everything you would have in a house, except the bedrooms. When I first saw the plans, I was amazed. In fact, I never thought it would happen. Being here has massively improved life for the kids and for us all."

Betsy Mitchell, resident at Brooks Green who has 12 grandchildren born at the site.

Brooks Green – building a stable, successful and happy community.



4

**Haldon Ridge,
near Exeter, Devon**

**Teignbridge District
Council and
Teign Housing**

teignbridge.gov.uk

teignhousing.co.uk

18 pitches

completed 2014 and 2018

Owned by Teignbridge District Council⁶ and managed on its behalf by Teign Housing, this is an attractive and environmentally friendly site, which includes a reed-bed foul water system. Detailed consultation and negotiation with residents and the local council enabled Teign to include semi-detached utility rooms each with a small kitchen and washroom, plus log-burning stoves for heating to mobile homes and vehicles.

There is a welcoming communal space and on-site office, which creates a pleasant environment for residents, visitors and activities.

New amenities provided by Teign Housing at Teignbridge Council's Haldon Ridge site.



6. Shears, P. How to provide good sites for Gypsies and Travellers. *Inside Housing*, 3 May 2018 (registration required)

5

South Treviddo Transit Site, Liskeard, Cornwall

Cornwall Housing
cornwallhousing.org.uk
16 pitches
completed 2019

This site has many elements of best practice in design. It's based on the recommended circular design, with occupiers' safety and security a high priority. A closed circuit television system sends a continuous live feed to a monitoring station, and there's adequate and appropriate lighting throughout. The site is located near to a dual carriageway, but careful planting design creates an effective noise break and privacy.

Safe parking and toilet facilities at South Treviddo.



4. Strategic local planning

It's important for local planning policies and decisions to take a truly strategic approach, not just react to short-term issues. Housing providers will also want to engage with Government strategies and funds (for example, the Affordable Homes Programme in England) to realise capital investment to build sites.

In Cornwall, existing Gypsy and Traveller sites were already full to capacity, and the Local Plan identified a need for 60 additional transit pitches by 2030. This included a particular need for a transit site in south-east Cornwall. Cornwall Council granted permission for the 15-pitch site at South Treviddo, to avoid needing to move on repeated unauthorised encampments around Liskeard and Saltash.

Elim's Gypsy and Traveller sites significantly benefitted from the positive support of key local councillors in Bath and North East Somerset and North Somerset to help unlock planning permission for 37 affordable homes. Both sites were developed by Elim in partnership with the local authorities and part-funded by the Homes and Communities Agency.

Mid Devon District Council's Local Plan requires developers to deliver sites for Gypsies and Travellers in planned, mixed-use, urban extensions. The Council commissioned research to investigate the challenges facing this policy approach,⁷ which concluded that certainty increases viability. Well-scoped plans can reduce the risk and uncertainty felt by developers and lenders, while flexibility and negotiation in the planning process can hasten the delivery of much-needed sites. The Mid Devon Local Plan makes clear that pitches should be provided on-site in urban extensions unless it is demonstrated that off-site provision will achieve an 'acceptable outcome' for Gypsies and Travellers on pitch numbers, site facilities and accessibility to services.



Teignbridge District Council also took a strategic view of providing for Gypsies and Travellers, with the Haldon Ridge site forming part of its 2013 Local Plan. The Plan set a target of delivering 70 pitches over 20 years, either through direct provision or by supporting planning applications from the community. This led to a joint approach between the Council and Teign Housing to develop suitable sites in semi-rural locations with good transport links.

"Our joint approach has brought forward land which would not have otherwise been forthcoming."

Graham Davey, Housing Enabling and Development Manager, Teignbridge District Council

Broadland Housing took the strategic decision to apply to the Affordable Homes Programme to fund an additional site for Gypsies and Travellers. In January 2021 the group secured £806,000 in grant from Homes England for a scheme in Norwich to provide 13 pitches. Developed as a partnership with Norwich City Council, the new site had a ten-month timetable for completion with particular emphasis on good design and build quality.



Good planning pays dividends – attractive homes using materials that complement the surrounding landscape..

5. Clear plans, policies, accountability and trust

Sites for Gypsies and Traveller sites are the same as any other community – they and local services can only succeed in the long term through the active involvement and support of the people who live there. Where possible, housing associations and local authorities should work together and across geographical boundaries to provide accommodation where it is needed.

For Elim's sites in Somerset, early engagement with each local authority's relevant strategic and operational teams was critical. This gave everyone the opportunity to input on allocations processes and site management plans, and develop mutually understood policies and procedures to establish expectations and create successful mixed-heritage environments. This collaboration formed the basis for robust new management approaches for the sites.

At Carrswood View, the permanent and transit pitches are identical in size, with the same bathroom, kitchen and living facilities. This offers great advantages for residents using the transit site, but has downsides in terms of site management and enforcing short-term stays. For this reason, Elim plans to focus more on long-term accommodation in its future sites.

Rooftop puts and keeps residents at the heart of its approach, from initial site concepts stage through to delivery and management. To keep people engaged, earn their trust and learn lessons the organisation involves end users in site design, taking care to consult about and include customers' knowledge and preferences. Asking children about the design of play areas is especially important. Developing good links with people before they become tenants is invaluable in building longer term sustainable and professional relationships with occupiers, their families and visitors.



6. Good site management, maintenance and support

The soft skills and services involved in housing management, repairs, maintenance and community support are just as important as the hard product of designing and building sites.

The lower density of occupation and profile of some people's needs mean that intensive management is required on Gypsy and Traveller sites. This needs to be reflected in the financial model for their development, supervision and upkeep, and is why government grant support in the form of higher levels of capital grant funding and revenue support for intensive housing management are required. Putting in place strong management and intensive support reaps longer term rewards in happy residents and homes that are well looked after.



Rooftop has a specialist neighbourhood officer working with residents on its two sites. They deal with every aspect from allocation of pitches to site management, resident involvement and bespoke social exclusion and education projects. The officer is known and trusted by residents, and is there to provide on-the-spot support whenever it's needed. The post has been particularly beneficial in engaging with young people living on sites.

Rooftop also has very clear processes for repairs, which are carried out through their mainstream contractor in the same way as for any other social housing customers. The sites also have a dedicated handyperson to deal with the sorts of minor repairs and maintenance issues that frequently come up (for example, fences and gates, removing debris and general wear and tear), and keep an eye on any health and safety issues. Having this known and trusted person alongside the housing management presence increases trust and enables Rooftop to identify and resolve problems quickly and effectively.

Both the neighbourhood officer and handyperson can assist with access to the site and escalate action to tackle more serious repairs or neighbourhood concerns as soon as they arise. The group's model is based on a strong core management and intensive support service backed up by additional knowledge and on-site presence.

At the South Treviddo Transit Site, Cornwall Housing handles general repairs in the same way as those for its the general housing stock. Defects can either be reported to staff who will arrange repairs or reported directly by residents themselves. The closed circuit television security system acts as a deterrent to fly tipping, and a refundable deposit incentivises occupants to leave their pitch in good condition when they move on.

7. Strong collaboration and communication

Since the Joseph Rowntree Foundation study was published in 2016, the importance of collaboration and working together has become even clearer. It's a vital cross-cutting ingredient in any plans to provide sites for Gypsies and Travellers and in running them effectively.

Whether it's different departments working together to refurbish a site, or local authorities in a region bringing together resources and ideas for 'negotiated stopping', good communication and collaboration are essential. To offer safe, successful places for Gypsies and Travellers to call home, organisations must listen to residents and adopt a multi-agency approach.

Elim acknowledges that building high-quality Gypsy and Traveller sites can involve higher costs compared to general needs housing. The reasons for this include the extremely low density of most sites, higher staffing ratios and the use of land or locations where complexities need to be overcome before development can begin.

For example, Elim's sites were built on a mix of Green Belt and brownfield land, with one location close to a main rail line, which required special acoustic fencing. The level of another site had to be raised by a metre to counter flood risk.

The costs of developing Elim's sites made local media headlines, so it's important to explain and challenge misconceptions about the use of resources. The organisation's funding strategy was supported by a really clear and positive social narrative to explain why the additional investment was needed and justified. This helped Elim and its local authority partners, to shape the strategic rationale for new sites, and help the investment and planning process impact more effectively with local stakeholders, including Councillors and the public. The more sensitive or challenging a scheme is, the more crucial it is to handle local perceptions.

Teign Housing has found resident participation and engagement to be the most important aspect in managing its Gypsy and Traveller sites. Occupiers were initially fearful and suspicious of the site being developed to replace the unauthorised encampment nearby. But these concerns were allayed by the site manager's efforts to promote use of the community room. In line with the social distancing required because of the Coronavirus pandemic, the amenity has become very well used for twice-weekly yoga sessions, family parties, a summer barbeque and Christmas craft event.

Rooftop worked closely Solihull Council during development of the Gables Close site. The Council quickly recognised the benefits of the group's rigorous approach and invited it to take over the refurbishment of a second phase of plots to match the standards achieved on the first pitches. The second phase of seven homes was completed and handed over to families in 2018.



8. Next steps for housing providers

Providing well-designed, managed and maintained sites for Gypsies and Travellers is an important component of housing providers' wider mission to address Britain's housing shortage. Meeting the needs of this community has positive knock-on effects in other parts of the housing market and improves social cohesion.

To create places that everyone can feel proud of, the authors hope that progressive and ambitious housing organisations will consider and reach conclusions to three key questions:

Why?

Reflect on the possibilities and challenges for Gypsies and Travellers, how providing accommodation is at the heart of improving community wellbeing, and why you should get involved.

How?

Think about utilising Government funding to deliver new sites (for example, in England, the Affordable Homes Programme).⁸ Talk to those who do this already, and use their expertise to understand whether and how you could get involved in providing accommodation for Gypsies and Travellers in your area. The Panel is happy to welcome you to its meetings to share ideas and talk about your local context.

What?

Discuss with your colleagues, board, local authority partners and other stakeholders to explore ways in which you can provide housing and support to all members of the community, including Gypsy and Traveller sites.

Help and advice

There are many useful online resources on this topic, including:

Friends Families and Travellers: www.gypsy-traveller.org

Leeds GATE (Gypsy and Traveller Exchange): www.leedsgate.co.uk

“Our job is to create places where people can build communities. The Gypsy and Traveller community is often misunderstood, but we refuse to accept that any group should be second-class citizens.

The idea that families are constantly moved on – even when they include people with terminal illness and children of all ages – denies them the ability to be part of the kind of community that most of us take for granted.”

Michael Newey, Chief Executive, Broadland Housing Group



Members of the National Policy Advisory Panel on Gypsy and Traveller Housing visiting the Rooftop Housing Group at Gables Close in Solihull. (L to R: Boris Worrall Rooftop Housing Group, Graham Davey Teignbridge District Council, Jo Richardson De Montfort University, Tony Henderson Rooftop Housing Group, Amanda Nicholls Teign Housing, Matt Bagley Leicestershire County Council).

9. About the National Policy Advisory Panel

The National Policy Advisory Panel on Gypsy and Traveller Housing was established by housing providers who deliver and manage Gypsy and Traveller sites and who are passionate about improving this sort of provision and accommodation.

There is a huge need for good-quality and well-managed social housing for the Gypsy and Traveller community. Where this is done well and in partnership with local councils and communities, sites can and do thrive. Success depends on providing and managing sites in harmony with other local residents and enabling families to access and engage effectively with local schools and other services.

Our Panel was formed to promote this kind of housing and to share best practice on how it can be delivered and effectively managed. We aim to encourage positive perceptions of Gypsy and Traveller people, to tackle negative stereotypes and engage with government and others to ensure a supportive policy and funding environment. We want to see better provision and life chances for this community.

Please contact or join us if you think you or your organisation can contribute.






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Agenda Item 11

Council – 28 September 2023

RESILIENCE, RESOURCES, PRIORITIES

Report of the Chief Executive

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Wards Affected

District-wide

Report Summary

The report discusses a series of issues relating to organisational resilience, resources and priorities and outlines potential options for members to consider in order to deliver a package of measures to aid the recruitment and retention of staff to ensure that the Council is adequately resourced to deliver its core services and priorities.

Recommendations

1. That Council acknowledges the limitations on organisational capacity and the need to ensure that our resources are directed towards the delivery of core services in accordance with agreed service standards and clearly defined and resourced Council priorities.
2. That Council considers the options to enhance recruitment and retention as outlined in the report (Section 10) and advises which of the measures it wishes officers to develop for further detailed consideration.
3. That the existing Job Evaluation Reserve be repurposed and retitled to 'Recruitment and Retention Reserve'.
4. That Council notes the retirement of the Licensing Manager with effect from 1st April 2024 and supports the recruitment of a new Licensing Manager to work alongside the existing post-holder for a period of up to 4 months and that a supplementary revenue budget for 2023/24 of £19,923 be approved for this purpose, financed from the General Reserve.
5. That Council supports the recruitment of an additional communications resource to support the Ashbourne Reborn project on a 2-year fixed term contract at an estimated total cost of £88,000 and approves a supplementary revenue budget of £11,000 for 2023/24, to be financed from the General

Reserve and the inclusion in the Medium-Term Financial Plan of £44,000 for 2024/25 and £33,000 for 2025/26.

6. That Council supports the appointment of Aecom to provide interim communications resources to support the Ashbourne Reborn project and approves a supplementary revenue budget for 2023/24 of £10,000, to be financed from the General Reserve.
7. That Council endorses the need for external data protection support to achieve compliance against the Information Commissioners Accountability Tracker and approves a supplementary revenue budget for 2023/24 of £10,000, to be financed from the General Reserve.
8. That Council supports the establishment of an out-of-hours duty roster to deal with specific situations requiring immediate action or attention and approves a supplementary revenue budget of £5,000 for 2023/24, to be financed from the General Reserve.
9. That Council supports the need to appoint an external valuer to undertake the asset valuations required to provide a compliant Statement of Accounts and approves a supplementary revenue budget of £30,000 for 2023/24, to be financed from the General Reserve, and the inclusion of £30,000 per annum in the Medium-Term Financial Plan.

List of Appendices

None

Background Papers

Minutes – Council Meetings (29 September 2022)

Consideration of report by Council or other committee

No

Council Approval Required

Yes

Exempt from Press or Public

No

Resilience, Resources, Priorities

1. Background

- 1.1 Throughout the Covid-19 pandemic, local government and other public service providers, demonstrated a remarkable level of resilience, flexibility and adaptability in order to meet the needs of the crisis we faced. However, in the post Covid-19 era, local government faces a series of acute workforce challenges on a scale which has never before been experienced.
- 1.2 Maintaining sufficient capacity and skills, attractiveness as a career choice, competition from other sectors, flexible working arrangements and the continuous inflationary erosion of pay are all having a severe impact upon the ability of councils of all types and sizes to attract and maintain staff of the calibre required to deliver high quality services. At the same time, there

is a constant need to prioritise corporate projects and initiatives in order to ensure that the organisations resources are aligned to efficient and effective service delivery.

- 1.3 In July 2022, a report published by the House of Lords Public Services Committee – *‘Fit for the future? Rethinking the public services workforce’* concluded that the resources of public services are at breaking point. As such, there is a need to consider how demand can be reduced and also how more can be achieved by fewer people.
- 1.4 In recent years, Members have regularly considered reports which have looked at Organisational Resilience, Resources and Priorities (16th January 2020, 27th January 2022, 17th February 2022 and 29th September 2022). This report continues that theme and focusses upon a number of current and future challenges faced by the organisation. It looks specifically at the following issues:
- Organisational Capacity
 - District Council Workforce Profile
 - Recruitment and Retention
 - Pay and Recognition
 - Training and Development
 - Graduates and Apprentices
 - Employee Support and Benefits Package
- 1.5 In addition, the report will seek to consider a number of current challenges and emerging issues in relation to the recruitment of a new Licensing Manager, outsourcing of asset valuations, the need for external support on data protection and the appointment of additional communications resources to support the delivery of the Ashbourne Reborn project.

2. Organisational Capacity

- 2.1 The Council has always prided itself on providing high quality, responsive services that contribute significantly to residents’ well-being and quality of life. However, there is an increasing need to be clear on what the Council’s priorities are and conversely, what the non-priorities are, in order to ensure the efficient and effective alignment of organisational resources. It is therefore necessary to evaluate whether the resources currently available are capable of delivering against a constantly rising demand of public and member expectations. The formulation of a new Corporate Plan will be critical to this discussion and it will be essential that Members have regard to the issues of organisational capacity and resources in finalising the new Corporate Plan during the next few months.
- 2.2 In January 2022, members were informed and acknowledged, that the current demands placed upon the officers across the whole of the organisation were unsustainable with little appreciation of the impact that this was having upon employee wellbeing. In this regard, it was emphasised that there was a need for a greater appreciation of officer capacity and organisational resource limitations which includes the personal demands of members placed upon officers at all levels, outside of the agreed Council and service priorities.

- 2.3 Further to this report, the independent review of the Council's waste management contract, considered at the meeting of Council on 17th February 2022, included a specific recommendation that *'a review of the corporate management capacity is undertaken to ensure that future major transformational and modernisation projects are adequately resourced'*.
- 2.4 Following the completion of the Independent Waste Review, the Corporate Leadership Team engaged the services of 'Circling Squares Ltd' who worked collaboratively with senior managers across the whole of the organisation in order to focus upon the following key areas of work:
- Vision and Priorities – ensuring the organisation is well positioned to anticipate future challenges, clarifying current and emerging priorities to deliver members' vision.
 - Culture and Capacity – identifying capacity pinch points and gaps which could have an impact on service delivery and organisational effectiveness, ensuring resources are aligned to priorities.
 - Communication and Engagement – promoting a positive culture where people feel involved and supported whilst communicating the future priorities to enable the organisation to continue our transformational journey.
- 2.5 The outcome of this engagement work was covered in detail as part of a Member Workshop session delivered on 8th August 2022. In summary, the engagement revealed that:
- Capacity is stretched (over 40 priorities with more emerging, plus legacy projects and corporate projects) compounded by focus on issues outside the Corporate Plan with minimal additional resources available.
 - Challenges around recruitment and retention at all levels of pay/grading, a perceived eroding of terms and conditions which is compounding the ability to attract and retain key skills with a knock-on impact on delivery, ensuring effective upskilling and succession planning.
 - With limited resources there are inevitably capacity pinch points on projects with the same skill sets e.g., Finance, HR, Estates & Facilities, Transformation and Legal are required on most projects.
 - People enjoy working for the organisation however, the impact of Covid and the positive use of hybrid working has meant that a cultural re-alignment is required to ensure that the interaction between the leadership team, members and the organisation remains transparent, efficient and effective.
 - Building upon the transformational successes of the last few years, there is momentum to embrace further change across the organisation.
 - There is a positive culture and supportive working environment with an experienced CLT team headed by an inclusive and considerate Chief Executive

2.6 In September 2022, members agreed to invest in a comprehensive package of further external support measures provided by ‘Circling Squares’, to support the Chief Executive, Corporate Leadership Team, Senior Management Team and elected members. Whilst it is not the purpose of this report to respond to these specific issues, Members are to be briefed on the outcome of this work on 25th September 2023 and further reports will be presented to subsequent meetings of Council as necessary.

3. District Council Workforce Profile

3.1 The current establishment for the district council comprises 221 individual posts. In addition, there are a number of services which are managed by the district council but are delivered in partnership with others including Freedom Leisure, SERCO, and shared service arrangements for Revenues and Benefits, ICT and Internal Audit.

3.2 The workforce profile by age of employee and grading is shown in Table 1.

Grade	Posts	All Posts	Age Groups				
			<21	21-30	31-40	41-50	51+
Apprentice to Grade 5	number	107	1	15	15	20	56
	% of the scale	48%	1%	14%	14%	19%	52%
Grade 6 -9	number	73	0	6	13	22	32
	% of the scale	33%	0	8%	18%	30%	44%
Grade 10+	number	41	0	0	8	12	21
	% of the scale	19%	0	0	20%	29%	51%
All Posts	Total number	221	1	21	36	54	109
	% of posts	100%	.5%	9.5%	16%	24%	49%

3.3 The workforce profile indicates a number of existing and future challenges in respect of the following:

- 49% of staff are over 50 years of age with 77 colleagues (34% of our workforce) over age 55. Whilst state retirement age has now moved to 66+, there is a significant risk that we will face the retirement of increasing numbers of long serving, skilled and knowledgeable colleagues over the next 5 – 10 years as employees may choose to retire early and access their pension from the age of 55 years.
- 15% of our workforce (34 colleagues) are aged 60 or over and are probably thinking about their retirement plans. Whilst full retirement

before state pension age can be unaffordable for many given the actuarial reduction in the pension for taking it early and having it in payment for longer, past experience indicates that this is still an attractive proposition for some employees, particularly those in senior positions with long service.

- 51% of senior manager positions (Grade 10 and above) are occupied by employees aged 51+. This is a significant risk to the loss of corporate knowledge and demonstrates the need for effective succession planning.
- The significant lack of younger people / graduates under 21 years of age employed by the Council is a cause for concern and demonstrates the need to 'grow our own' and have effective succession plans in place.

3.4 In order to address the above, the District Council needs to ensure that it can deploy a range of policy initiatives and measures to attract and retain employees of the calibre required. The remainder of this report will discuss specific issues and will focus upon the options and opportunities that are potentially available.

4. Recruitment and Retention

4.1 Historically, the District Council workforce has remained relatively stable with turnover of approx. 10% per annum. However, since the Covid-19 pandemic, turnover has increased significantly to circa 18% in both 2021/22 (48 leavers) and 2022/23 (43 leavers). This has coincided with significant challenges in attracting candidates with the necessary expertise and experience in a number of key areas including Finance, Audit, Legal, Policy & Regeneration, Sports Development, Business Support and Clean and Green. In a number of cases, vacancies have been advertised numerous times – on each occasion incurring additional costs, delay and impacts upon productivity.

4.2 In order to sustain service delivery and meet statutory deadlines in some of these key areas, the Council, like many other councils across the country, has had to resort to the employment of temporary and/or agency staff for significant periods of time which is both expensive and an ineffective long-term solution. In 2021/22, the Council spent £169,056 on temporary staff in the finance team alone due to our inability to recruit permanent staff and the need to meet statutory deadlines. According to analysis by the national campaign group – the 4 Day Week Campaign, FOI requests found that in 2022/23, councils across the UK spent £2.1bn on agency staff, amounting to 6% of their total spend on staff.

4.3 Clearly, this is not an effective use of taxpayers money and is neither sustainable nor an effective solution to recruitment and retention challenges. In order to deal effectively with this issue, employers need to take responsibility and respond positively to the challenges that exist.

5. Pay and Recognition

5.1 The Council's pay structure is based upon the Council's Single Status Agreement and on the National Joint Council for Local Governments Services Job Evaluation scheme which has the support of trade unions and

employees. Any changes to jobs or new jobs go through a job evaluation process to ensure that there is consistency and fairness. The process is focused internally, looking only to establish the relative responsibilities, job demands and accountabilities within the organisation, so that core gradings can reflect these. Salaries are set according to the national pay grading scale.

- 5.2 If the grade and salary level resulting from job evaluation produce grade/salary levels which are not competitive in the external jobs market, it is permitted within employment law and the Local Government Green Book of terms and conditions (although not always desirable) for the Council to offer additional pay in the form of market supplements, provided that these are objectively justifiable in terms of market data and are temporary, with regular reviews (every 2 years) to ensure that the payments remain valid. By the same token, the Council can, in certain circumstances, offer recruitment incentives (“golden hellos”) or retention payments (“golden handcuffs”) to help it recruit and retain staff in the face of problems over being competitive in the jobs market.
- 5.3 Pay negotiations for all District Council employees (below Chief Executive and Chief Officers) are conducted at a national level on our behalf by National Joint Council (NJC). As part of our collective agreement with the trade unions, we participate in national bargaining and therefore any negotiated settlement reached at a national level is mandatory and is applied to all our employees. Pay awards for Chief Officers are also determined at a national level by the Joint National Council (JNC) a separate machinery exists for Chief Executives
- 5.4 As part of the 2023 national pay claim (which remains in dispute and may be subject to strike action), Unions have claimed that since 2010, NJC spine points have lost on average 25% of their value when measured against the cost of living / Retail Price Index (RPI). As a consequence, it is claimed that a wage keeping pace with the cost of living each year would have risen by 47.9% since 2010, however NJC pay has risen by just 20.7% over the same period.
- 5.5 The Office for National Statistics (ONS) says that private sector pay grew 6.9% between August and October 2022 while public sector pay grew 2.7%, and that this was among the largest differences ever seen between the two. Public-sector pay was frozen from 2011-13 and then capped at a 1% annual increase until 2018. If you look at the total pay figures, which include bonuses, private sector pay has actually overtaken public sector pay, mainly due to the fact that private sector workers are much more likely to receive bonuses than public sector workers. On the other hand, the figures do not reflect the fact that public sector workers tend to have considerably better pension provision than private sector workers. However, such differences in pension provision do not aid recruitment and retention challenges currently faced by the public sector.
- 5.6 As a consequence of pay differentials, the Institute for Fiscal Studies has warned "The continuing fall in public sector pay relative to the private sector poses recruitment and retention challenges for public services and could threaten the government's ability to deliver on its public service objectives."
- 5.7 It is difficult to ignore the cumulative impact of, and tangible link between, below inflation national pay awards for the last 10 years and our ability to offer competitive salaries in what is a diminishing pool of talent and interest in local government as a career. Whilst this problem is by no means limited to local

government, as a small district council with limited resources, we are very much at the 'sharp end' and it is proving increasingly challenging to recruit and retain staff in a highly competitive market. Therefore, as an employer, we must do all that we can to remain competitive and promote both local government as a sector, and Derbyshire Dales District Council as an employer, in order to attract and retain the best talent available.

5.8 The importance of fair pay is a subject covered by the biennial all staff survey. The last completed survey (October 2021) provided an indication of the factors that are regarded as being most important to staff. The top 5 responses were:

1. Being fairly paid (24.14%)
2. Flexible working / family arrangements (17.24%)
3. Ensuring that employees are supported by their managers / supervisors (13.79%)
4. Making employees feel valued (13.79%)
5. Providing employees with sufficient resources to do their jobs well (10.34%)

5.9 In addition to pay, local government has always sought to offer attractive terms and conditions which were once our 'USP' in attracting staff i.e., flexible working hours, hybrid working, local government pension scheme, holiday entitlement, learning and development support, family friendly policies etc. However, many of these are now commonplace in the private sector who have caught-up with terms and conditions and in some cases, exceeded what we currently offer.

5.10 The differences between employment in the private sector compared to the public sector, are not therefore as significant as they once used to be.

6. Training and Development

6.1 Training and Development currently takes three distinct forms:

- Corporate training i.e., CPD, professional updates etc. (Budget £8500)
- Vocational Training i.e., professional courses and qualifications (Budget £7000)
- Online training via LOLA i.e., induction, health and safety, safeguarding, data protection etc. (Budget £7300)

6.2 The cost of Vocational training is paid at 50% by the Council and 50% by the employee, through payroll deductions. Cost is limited to training fees and essential books only (no travel or subsistence) and a training agreement is put in place if the full cost is more than £500. Should the employee leave the Council's employment within 2 years of qualification, the Council's 50% support is repaid on a sliding scale.

6.3 Whilst the above arrangement enables the Council to support a larger number of employees through vocational training, the costs of some qualifications are so prohibitively expensive that employees often cannot afford to match the 50% required contribution, for example for colleagues in finance to obtain a CIPFA qualification, the cost is circa £21,000. As a result, there are existing employees who have the potential and desire to progress as part of our succession plan

but are currently prevented from doing so due to the lack of financial support we are able to provide, and at a level they are able to afford.

- 6.4 In order to address this situation, the Council would need to increase the amount of financial support it provides to assist with the development of future talent.

7. Graduates and Apprentices

- 7.1 In recent years, the District Council has attracted and employed a number of recently qualified graduates in a variety of roles in Business Support, Environmental Health and Democratic Services. However, we have not sought to actively target and attract graduates to specific vacancies or positions other than through conventional means of advertising vacant positions as and when they arise.

- 7.2 For many years, the Local Government Association (LGA) has operated a Graduate Development Programme (NGDP) which offers a unique opportunity to place high quality graduates in councils, helping them to meet strategic goal and build a pipeline of future talent. Derbyshire Dales have never participated in this programme. In order to participate, there is a requirement to:

- Employee national management trainees on a minimum two-year fixed contract.
- Pay national management trainee salaries at national local government spinal column point SCP20 (currently £28,371).
- Organise a minimum of three placements for each trainee over the two-year period.
- Promote the NGDP to raise the profile of the programme locally to attract a diverse and talented pool of candidates.

- 7.3 The LGA will in return, market the NGDP at a national level, including extensive engagement at university fairs and promotion in national publications. For those Councils who sign up to the programme before candidate applications close, the LGA will also promote the scheme with local universities and provide additional support to attract graduates interested in

- 7.4 Since 2018, the District Council has recruited 12 apprentices – six of which have been retained whilst six have left the authority. The retained apprentices have been appointed into permanent positions (as they arise) within the Council's Clean and Green Team. Housing and Accountancy and are making a valuable contribution to the organisation.

- 7.5 Where apprentices have left the authority, this has been down to them not continuing with their apprenticeships, choosing to pursue further education opportunities or securing alternative employment.

- 7.6 The recruitment and retention of apprentices can be challenging as young people are often unsure about the career they wish to pursue. As such, the retention rate is often lower however, where we are able to train and retain apprentices, the gains certainly outweigh the losses.

8. Employee Support and Benefits Package

8.1 In considering a pay and benefits package, it is important to consider employee rewards beyond the salary received. The total reward package offered by the Council includes such as:

- Local Government Contributory Pension Scheme with life insurance;
- Salary Sacrifice Schemes e.g. Cycle to Work, additional leave purchase;
- Flexible and hybrid working opportunities;
- Maternity, Paternity, Adoption and Shared Parental Leave entitlements;
- Support for parents / carers
- Learning and Development opportunities;
- Counselling support services;
- Occupational health services.

8.2 Whilst all of these measures are valued they are in the main replicated (and in some cases bettered) by other local government employers. Increasingly, authorities are looking towards other measures that can be employed to 'set them apart' and provide competitive advantage in a very difficult recruitment market.

9. Recruitment and Retention Initiatives Already Implemented

Market Supplements

9.1 The increasing pressures in the national or regional labour market can mean that pay levels for a particular category of employee in a particular function can be such that the District Council's normal pay level would not be sufficiently competitive to enable it to recruit or retain an employee in that function. In that case, where there is proven difficulty to recruit (defined by at least 2 failed attempts), a market supplement policy will be applied. There are currently 11 posts in receipt of a 3-year market supplement ranging from 9-15%. These market supplements have been determined by the Corporate Leadership Team and will be subject to review in line with the District Council's Reward and Recognition Policy.

9.2 Supplements can be retained, increased (max 15%), decreased or removed. Clearly, removing a market supplement will be unpopular as the post holder has enjoyed the increase for a reasonable period of time and it could lead to increased turnover of staff. Whilst this tool has enabled appointments to be made in a number of challenging situations, it is divisive as it changes the pay relativities of similar posts on the same grade.

Welcome Payments

9.3 Given proven difficulty to recruit to some vacancies, a 'Welcome Payment' trial has also been initiated comprising a payment of £2,000 (50% on appointment and the balance after 6 months). This payment is to be repaid in full if the new employee leaves the District Council within the first 2 years of their appointment; so it also acts as a retention payment. This payment may attract applicants, especially those who may have to repay training grants when leaving their existing employer. The trial is under review however early indications are that it has been a success.

Career Grade Posts

- 9.4 Career Grade posts are introduced where we recruit below the grade of the established post to offer more flexibility to recruit a trainee if we cannot recruit a fully qualified experienced person. To date, we have established one career grade post in Development Management for retention purposes. Two further posts (Planning and Environmental Health) have been created for recruitment via promotion subject to gaining a qualification. A further post in Internal Audit has been developed specifically for recruitment following proven difficulty to recruit.
- 9.5 There is widespread support from the Corporate Leadership Team to introduce more career grades into the organisation thereby allowing non-qualified or under-qualified staff to be recruited and trained but with sufficient 'head-room' in the pay scale to retain them once we have invested the time and effort in developing them. There is little value in the organisation recruiting, investing in and developing staff if we are unable to retain and appropriately reward them at the end of their training and development programme.

10. Potential New Recruitment and Retention Initiatives

- 10.1 The District Councils significant challenge in the next 5 – 10 years is the impact of an aging workforce. Flexible Retirement is an option for those over 55 years of age as they are able to access the pension they have accrued to their flexible retirement date with an option to pay into a second pension pot in their reduced hours post. Whilst full retirement before state pension age is less attractive for the majority, with 34 colleagues over the age of 60, the impact of failing to take the initiative now could be very significant indeed, particularly when combined with the challenges of recruiting skilled and experienced staff into key roles.
- 10.2 Having regard to initiatives introduced in other local authorities and following discussions with HR and the Corporate Leadership Team, it is considered that there are potential other measures that could be considered (in no particular order of preference).

Options to Enhance Recruitment and Retention

Option 1: 'Grow Our Own'

- 10.3 Increase our established apprenticeship programme to include more school leaver apprentices and introduce graduate apprentices. This would require an increase in the salary budget and ideally, a dedicated 'supernumerary establishment budget' to retain excellent apprentices in post for up to 6 months whilst awaiting foreseen future vacancies to be permanently appointed.

Option 2: Enhanced Welcome Payments

- 10.4 The introduction of 'Welcome Payments' has delivered some success in recruiting to posts that were previously difficult to recruit to. The current payment of £2,000 (50% on appointment and the balance after 6 months) could be increased if the new employee leaves the District Council within the first 3 years of their appointment payback in excess of 2 years. The Peak District

National Park Authority are currently considering 'Welcome' payments of £5,000.

Option 3: Enhancement to National Pay Awards

- 10.5 Whilst the District Council is part of the national collective bargaining process for national pay awards, it has the potential to offer an enhanced pay award (e.g. national pay award +1%) to improve national, regional and local competitiveness. Increased salary costs would have an enduring impact upon the overall revenue budget and would have to be demonstrated to be financially sustainable in both the short and long term, at the time of consideration. A 1% increase on the 2023/24 salary budget would cost circa £87,000.

Option 4: Enhancement to Annual Leave Entitlement

- 10.6 Derbyshire Dales employees are entitled to 26 days annual leave plus a further 4 days after 5 years' service. Most other Councils offer 26 days plus a further 5 days after 5 years' service. An increase in annual leave entitlement would match the terms and conditions of many other councils (including the Peak District National Park).
- 10.7 With the exception of limited Clean and Green operations, the Town Hall is closed on the 3 working days between the Boxing Day and New Years' Day bank holidays. staff are currently required to book these 3 days as annual leave with a maximum of 1.5 days taken as Time off in Lieu or flex leave. In order to bring parity with other councils. One option may be to increase annual leave entitlement by 1 day to match that of other councils with a requirement to take the extra day's annual leave during the Christmas close-down period.

Option 5: Career Grades

- 10.8 Expand widely the concept of career grades. i.e., to give the option to candidates to apply as a 'trainee' to grow into a role. This would require determination of significant factors to enable progress through the career grade based on evidence of experience/ skills/ qualifications etc. but could help attract more applicants especially in difficult to recruit posts.

Option 6: Employee Benefits Package

- 10.9 For many years, the District Council offered subsidised lease cars to employees in designated posts where there was a requirement for a car to be available in order to undertake the requirements of their job. However, this practice was ceased in March 2017 as part of a corporate savings initiative. However, there is no doubt that this incentive was a powerful recruitment and retention measure at that time when salaries offered were generally lower than those of neighbouring councils.
- 10.10 Some Councils are revisiting employee benefit packages in order to gain a competitive edge with larger authorities and the private sector, the most notable example being Litchfield District Council who have recently approved a package of measures to include a scheme of private health insurance, performance related bonuses and employee referral bonuses.

- 10.11 Whilst it would not be financially viable to re-introduce a subsidised lease car scheme, there is the potential to consider salary sacrifice schemes for electric cars. A scheme has recently been adopted by the Derbyshire Building Control Partnership and many other companies across the UK, whereby the employer leases an electric car in exchange for the employee sacrificing gross salary to pay for it. The benefit to the employee is that the cost of the car is recouped from the employee's gross salary which is a legitimate and lawful tax saving for them. The benefit to the employer is that there is a reduction in employer National Insurance contributions and VAT is recovered on the leased vehicle.
- 10.12 The added advantage of a scheme of this nature is that it can support an employee's personal journey to Net Zero and directly reduce the employers carbon emissions for work-based journeys.
- 10.13 Other measures may include the provision of an Employee Assistance Programme EAP – usually including counselling services, health advice but also free legal advice (Chesterfield Borough Council has an EAP).

Option 7: Increased Investment in Personal Development

- 10.14 Increasing the corporate and vocational training budgets would enable more training to be delivered to more employees.
- 10.15 In addition, removing the 50% employee contribution (for specific qualifications or hard to recruit posts) would enable all training to be paid for in full. However, in exchange for this, it is considered reasonable that the Council would seek a return on its investment by requiring employees to remain in the district council's employment for an extended period 3 or 4 years post qualification.
- 10.16 Other options could include the resourcing of managerial qualifications for middle and senior managers (ILM5 or similar) who are identified as part of a corporate 'Succession Plan'. This will ensure that we are developing the talent that already exists in the organisation with a view to preparing them for future opportunities.

Option 8: Corporate Succession Planning

- 10.17 There are a significant number of posts across the organisation which are 'singleton posts' i.e., where only one person has the necessary skills, knowledge and expertise to carry out the required tasks. This poses a significant risk to the organisation, particularly given the age demographic of the workforce. Corporate Succession planning in 'at risk' posts could be deployed to develop employee potential in to be 'the best candidate they can be' for competitive appointment when a vacancy arises through turnover or retirement.
- 10.18 The process would require the identification of individuals alongside a commitment to provide necessary training and development opportunities as 'forward investment' in their potential.
- 10.19 A Draft 'Succession Planning' Policy has been developed and is to be considered at a meeting of the Joint Consultative Group on 26th September.

11 Financial Resources

- 11.1 Implementation of any meaningful measures to improve organisational resilience needs have regard to the overall impact upon the Council's finances and specifically, the Medium-Term Financial Plan.
- 11.2 The Director of Resources has previously advised Council that it is difficult to predict the level of finance settlement that might be received from 2024/25 onwards given the lack of clarity over future funding levels. However, with the prospect of a future Fair Funding Review and baseline business rates reset, there is no certainty that previous levels of funding will continue into the medium term as significant changes in local government finance are expected to take place from 2025/26, which could have a significant impact on the Council's revenue account.
- 11.3 The Council has strategic reserves for specific purposes which are earmarked for identified purpose. This ensures the availability of the amounts in these reserves for those purposes and defrays demands on the revenue spending and general balances. These reserves are reviewed on at least an annual basis to ensure they are adequate for the purpose, but not excessive, based on an assessment of needs, an understanding of risks, and taking into account the opportunity costs of maintaining reserves. It is therefore financially prudent to seek to utilise existing resources and reserves wherever possible in order to minimise long-term impacts upon the Council's revenue budget.
- 11.4 The Council has for the past 13 years, retained a Job Evaluation Reserve which was established at the time of the single status pay agreement to deal with wholesale increases in job grades as a consequence of the Job Evaluation Process. In recent years, this reserve has been reduced to reflect the limited demand that has existed; however it currently stands at £150,000.
- 11.5 Corporate Leadership Team in consultation with the Director of Resources do not consider that this reserve is likely to be needed in the future. There is therefore, an opportunity to repurpose and redesignate this reserve as a 'Recruitment and Retention Reserve' to support one-off costs arising from the implementation of any of the options outlined above. Whilst this would not enable measures to be sustained in the long term, it would provide an opportunity for measures to be implemented quickly and until such time that the future impacts of local government funding reforms become clearer.

12 Other Employee Related Current Issues

Retirement of Licensing Manager

- 12.1 The Council's Licensing Manager has informed the Chief Executive of her decision to retire with effect from 1st April 2024 after a long and distinguished 46 year career in local government, almost 36 years of which has been with the District Council. The postholder has kindly offered a period of extended notice in order to enable the Council to deal with this transition. The Licensing Manager is a key post within the organisation with a very specific skill set. It is also a post which will be challenging to recruit to given current market conditions. As such, it is highly desirable that there is an early appointment made and a smooth transition.

12.2 In order to mitigate the risks, it is considered that a recruitment exercise needs to be initiated immediately in order that a new appointee can work alongside the existing post-holder for a period of up to 4 months prior to 1st April 2024. The cost of this overlap is estimated at £19,923 including oncosts. If approved, the revenue cost will require a supplementary revenue budget of £19,923 to be financed from the General Reserve.

Ashbourne Reborn Communications Resources

12.3 Derbyshire Dales District Council is the Accountable Body for Ashbourne Reborn. This means that, although the programme is being delivered by other delivery partners (principally Ashbourne Methodist Church and DCC), the Council has full and sole responsibility for, inter alia:

- all financial matters (including paying delivery partners and claiming funding from the Government to cover such payments).
- all procurement matters (including appointment, contracts and purchases made by delivery partners).
- ensuring all outputs and outcomes are achieved on time and to budget.
- discharging this accountability by monitoring, assuring, reporting and auditing to the Government's satisfaction.

12.4 Ashbourne Reborn has been the subject of public reports and resolutions at the Community and Environment Committee on 1 November 2022, 29 June 2022, 6 April 2022, and 23 February 2022. On 27 July 2023 the Council approved revised governance arrangements for Ashbourne Reborn, with increased Member involvement from the District Council, as well as other partner bodies. The Levelling Up Fund remains Government policy.

12.5 It has previously been reported that a Communications and Engagement strategy had been established and would require proactive communications throughout the span of the programme. Over the summer it has become increasingly clear that there is a need to commence proactive communication activity to:

- Prepare continuous, proactive messaging in respect of forthcoming activity and linked stories.
- Publish a weekly/fortnightly newsletter (pdf and paper for noticeboards via Ashbourne Town Team, Ashbourne Town Council, Ashbourne Methodist Church etc.)
- Publish a weekly press release to provide media organisations with opportunities to draft content for the publications.
- Generating content (following up on leads from the Programme Manager/partners, not waiting for content to come).

12.6 To date this work has been delivered by the existing Communications and Marketing Team, with high quality and timely content being produced. The aspiration is for the high standard of communications and marketing to be maintained for the lifetime of the project. After reviewing known future challenges and issues for the Council that will require direct management or involvement from Communications and Marketing, it is considered that the establishment of an additional Communications Officer post would

ensure that all corporate priorities can be met and the expectations associated with the programme can also be delivered.

- 12.7 The proposal is to establish a Communications Officer post (Grade 8 as per the existing Communications Officer post) for a fixed period of two-years. This approach will provide an increased level of resource to ensure that proactive communications activity on Ashbourne Reborn is delivered to meet expectations of all stakeholders. It will also increase the capacity of the Communications and Marketing Team at a time where there will be additional pressures arising from anticipated changes in service delivery for key frontline services and increased expectations from the new administration.
- 12.8 The cost of this temporary post (subject to Job Evaluation) is estimated at £10,000 including oncosts. If approved, the revenue cost will require a supplementary revenue budget of £10,000, to be financed from the General Reserve.
- 12.9 It is recognised that it will take time to recruit to this position but the need for proactive communications is immediate. Aecom, who are working on Ashbourne Reborn through Derbyshire County Council, have offered to provide an interim solution which officers consider to be acceptable in the short term at a cost of £5,500 - £6,000. It is recommended that this offer be accepted and that the cost be funded from the General Reserve.

Data Protection and Information Governance

- 12.10 As recent incidents involving the Police Service of Northern Ireland and the Electoral Commission have demonstrated, having confidence in arrangements for data protection forms a crucial element of the Council's overall corporate governance. The authority has recognised for a number of years that its approach to data protection and information resources required some improvements following audits in recent years, which reiterated the need to review processes and to deliver training to staff and Members on data protection.
- 12.11 One of the challenges faced by the authority has been in assessing the level and type of resource required. In 2021 a fixed term Information Governance Officer post was established to work with, and provide support to, the then permanent Information Governance Officer to deliver against the recommendations from the internal audits. However, the permanent post-holder resigned from the authority in the summer of 2021 and this has caused further delay in the implementation of the corporate training required. The challenges faced in recruitment to specialist posts such as these prompted initial conversations with neighbouring authorities in 2021/22 about the potential for working together and sharing resources, but with changes in personnel in some authorities and/or no willingness to work jointly, those discussions did not result in resolving the issue.
- 12.12 In December 2022, the Director of Corporate and Customer Services (who is also the Council's designated Data Protection Officer) commissioned an external audit of the authority's arrangements for data protection was commissioned earlier this year to assess performance and governance against

the Information Commissioner's Accountability Tracker. This audit was completed in March 2023 and identified that there was a pressing need to review and update policies, create more resilience through designated champions within service departments and roll out training for all staff on the updated policy framework. In the absence of a data protection specialist and recognising the need to move quickly to address the issues identified over a number of years, it is recommended that the Council commission external support for the re-writing of policies to reflect best practice from the sector and for the delivery of training. This will provide greater reassurance to Members and the Corporate Leadership Team that there is clarity of understanding of the law, policy position and practical processes that the organisation needs to follow in demonstrating that it is meeting its obligations as a public authority. The cost of this work is estimated at up to £10,000. If approved, the revenue cost will require a supplementary revenue budget of £10,000 to be financed from the General Reserve.

- 12.13 With the new Director of Corporate and Customer Services due to commence in post on 6th November 2023, there will be a renewed opportunity to commence discussions with neighbouring authorities to revisit the potential of establishing joint working arrangements in respect of data protection. The anticipated benefits of this approach would be akin to the arrangements in place for Internal Audit, which is headed up by a post operating across a number of authorities in Derbyshire, as well as creating increased resilience and standardising practice across local authorities, all competing for the same potential candidates in recruitment exercises. The Governance and Resources Committee will continue to receive updates on the progress made in respect of improvements to be delivered on data protection.

Out of Hours Stand-By Duty Roster

- 12.14 The District Council does not operate as a 24/7 organisation. However, there are occasions whereby a number of services need to be provided out of hours (excluding civil emergencies) where officers need to attend sites/premises to deal with specific emergency situations, most notably in relation to Clean and Green services.
- 12.15 Historically, this work has been based upon the goodwill of officers and without remuneration. Whilst there is a significant amount of goodwill throughout the organisation with officers regularly working above and beyond out of hours in the interests of the council, there is no resilience in such situations. Furthermore, the Council should not be reliant upon goodwill to ensure the delivery of a service that is needed.
- 12.16 In order to address this situation, a scheme has been devised and benchmarked by Human Resources, which proposes a daily duty payment for the limited circumstances in which this would apply. If approved, the revenue cost will require a supplementary revenue budget of £5,000 to be financed from the General Reserve.

Asset Valuations

12.17 As mentioned in paragraph 2.5, there are capacity pinch points within the Finance and Estates & Facilities teams. Both of these teams are impacted by the statutory requirement to value property, plant and equipment annually in accordance with CIPFA regulations, in order to inform the Council's year end accounts. The valuations are undertaken by the Estates and Facilities Officer on the instruction of the Director of Resources. The valuations have become increasingly complex over time and the audit review into the figures produced has also grown significantly, resulting in a workload that is no longer sustainable within existing resources. Due to issues of capacity which impacts upon the deliver of other Estates and Facilities projects and priorities, it is recommended that this specific workload is outsourced and a supplementary budget estimate of £30,000 is provided to facilitate this action.

13 Options Considered and Recommended Proposal

The report outlines a series of options, all of which will have an impact upon the Council's ability to recruit and retain staff of the calibre required. Whilst the alternative option would be to do nothing, this would not address the issues highlighted in the report.

14 Consultation

14.1 Corporate Leadership Team (CLT) and HR Manager has been engaged in the development of these proposals.

15 Timetable for Implementation

15.1 Subject to the approval of the above recommendations, the work will commence immediately.

16 Policy Implications

16.1 An effective organisational structure that is appropriately resourced and aligned to the delivery of the Council's priorities helps to deliver the Council's ambitions and plans for the District as a whole.

17 Financial and Resource Implications

17.1 Financial Resources have been addressed in section 11 of this report.

17.2 The table below sets out the financial implications where this report requests approval of supplementary revenue budgets.

	Supplementary Revenue Budget Requested for 2023/34	Add to MTFP for 2024/25	Add to MTFP for 2025/26	Total
Licensing Manager Recruitment	19,923	-	-	19,923
	11,000	44,000	33,000	88,000

Communications Resource for Ashbourne Reborn: New Post				
Communications Resource for Ashbourne Reborn: Appointment of Aecom	10,000	-	-	10,000
External support for data protection	10,000	-	-	10,000
Out-of-hours duty roster	5,000	-	-	5,000
Outsourcing asset valuations for financial statements	30,000	30,000	30,000	90,000
Total	85,923	74,000	63,000	222,923

If approved, the proposed changes will require supplementary revenue budgets in 2023/24 totalling £85,923 to be financed from the General Reserve. A total of £137,000 will be required to implement the proposed changes in financial years 2024/25 and 2025/26 and this would be reflected in the Medium-Term Financial Plan. As shown in the Revenue Budget Monitoring Report elsewhere on the agenda for this meeting, the General Reserve is currently forecast to have an uncommitted balance of £4.365m at 31 March 2024. Therefore, the financial risk arising from this report's recommendations is assessed as low.

- 17.3 When Members' views are known in respect of the options set out in section 10 of the report, further work will be undertaken to estimate the associated costs. If necessary, a report will be brought to a future Council meeting to identify the financial implications and to seek approval for Supplementary Revenue Budgets. These Supplementary Revenue Budgets would be financed from the re-designated 'Recruitment and Retention Reserve', subject to Members' approval of that change and the reserve having a sufficient balance.

18 Legal Advice and Implications

- 18.1 This report discusses a series of issues relating to organisational resilience, resources and priorities and outlines potential options for members to consider.
- 18.2 The Head of Paid Service is required by Section 4 of the Local Government and Housing Act 1989 to report to Council on proposals concerning the organisation of the Council's staff and appointment and proper management of the Council's staff.
- 18.3 There are 9 recommendations contained within this report. The legal risk associated with taking the decision as recommended has been assessed as low.

19 Equalities Implications

- 19.1 There are no specific equalities or diversity issues associated with this report. The council is committed to fulfilling its obligations under the Equality

Act 2010, including the Public Sector Equality Duty (Section 149). This duty includes a general duty and specific duties. The general duty requires public bodies to have 'due regard' to the need to:

- eliminate unlawful discrimination, harassment and victimisation and conduct prohibited by the Act,
- advance equality of opportunity between people from different groups; and
- foster good relations between people from different groups.

20 Climate Change Implications

20.1 A climate change impact assessment is not necessary in respect of the recommendations in this report.

21. Risk Management

21.1 The Head of Paid Service is required by Section 4 of the Local Government and Housing Act 1989 to report to Council on proposals concerning the organisation of the Council's staff and appointment and proper management of the Council's staff. Implementation of the proposals outlined within this report, will seek to ensure that the District Council is better able to manage future risks around organisational resilience, resources and priorities. If implemented, the strategic risk is assessed as low.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	20/09/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	20/09/2023
Monitoring Officer (or Legal Services Manager)	Kerry France	20/09/2023



Agenda Item 12

**OPEN REPORT
COUNCIL**

Council – 28 September 2023

APPOINTMENT OF MONITORING OFFICER AND ELECTORAL REGISTRATION OFFICER

Report of the Chief Executive

Report Author and Contact Details

Paul Wilson, Chief Executive

01629 761126 or paul.wilson@derbyshiredales.gov.uk

Wards Affected

District-wide

Report Summary

The report seeks to confirm the appointment of Helen Mitchell (designate Director of Corporate and Customer Services) as the Council's Monitoring Officer and Paul Wilson (Chief Executive) as the Electoral Registration Officer.

Recommendations

1. That Helen Mitchell is appointed as the Council's Monitoring Officer with effect from 6th November 2023.
2. That Paul Wilson is appointed as the Council's Electoral Registrations Officer with immediate effect.

Appendices

None

Background Papers

None

Consideration of report by Council or other committee

No

Council Approval Required

Yes

Exempt from Press or Public

No

Appointment of Monitoring Officer and Electoral Registrations Officer

1. Background

- 1.1 Under Section 5 of the Local Government Housing Act 1989 the Council is required to designate one of its officers as the Monitoring Officer for the Council. The Monitoring Officer may not be either the Council's Chief Finance Officer or the Head of Paid Service (Chief Executive).
- 1.2 The Monitoring Officer's functions include:
- Oversight and reporting of the operation of the Council's Constitutional arrangements and the decision making processes
 - Reporting on unlawfulness and maladministration
 - Investigating allegations of breaches of the Code of Conduct and seeking rulings from the Council's Independent Person and arranging meetings of the Member Conduct Panel
 - Maintenance of the Register of Interests
- 1.3 Prior to his departure, James McLaughlin (Director of Corporate and Customer Services) was the Monitoring Officer for Derbyshire Dales District Council, and appointed two Deputy Monitoring Officers (Jason Spencer and Kerry France) to provide resilience and development opportunities.
- 1.4 Helen Mitchell has recently been appointed as the new Director of Corporate and Customer Services and is due to take up her post at the beginning of November. It is proposed that Helen Mitchell be appointed as the Council's Monitoring Officer upon her commencing in post in November 2023.
- 1.5 In the period prior to the new Director of Corporate and Customer Services commencing in post, as deputies to the current Monitoring Officer, Jason Spencer and Kerry France will jointly share the role and responsibilities of Monitoring Officer.
- 1.6 Under section 8 of the Representation of People Act 1983 every District Council is also required to appoint an Electoral Registration Officer (ERO) and this is the person who has the statutory duty to compile and maintain an Electoral Roll (including conducting an annual canvass). In most cases, the Returning Officer (RO) and Electoral Registration Officer (ERO) roles are carried out by the same post-holder. Currently the RO responsibility within Derbyshire Dales rests with the Chief Executive and the ERO responsibility rests with the Director of Corporate and Customer Services.
- 1.7 In order to ensure that there is resilience in the period following the departure of the current Director of Corporate and Customer Services and the new Director of Corporate and Customer Services commencing in post, it is proposed that ERO responsibility be transferred to the Chief Executive.

3. Options Considered and Recommended Proposal

- 2.1 An alternative option would be to not approve the proposals that have been recommended, however the Council would still be required to designate alternative officer(s) as the Monitoring Officer and Electoral Registration Officer.

4. Consultation

- 3.1 No consultation has been undertaken in the preparation of the report, however political group leaders were involved in the recruitment process for the new Director of Corporate and Customer Services.

5. Timetable for Implementation

- 4.1 The new Director of Corporate and Customer Services will commence in post in November 2023. Subject to the agreement of Council, they will take on the statutory role of Monitoring Officer on the same date.

5 Policy Implications

- 5.1 Good governance underpins all of the Council's aspirations as detailed within the Corporate Plan. The designation of a Monitoring Officer is a key decision for the Council in supporting the commitment to good governance.

6 Financial and Resource Implications

- 6.1 The costs of the Monitoring Officer and Electoral Registration Officer are included within existing budgets. The financial risk of the report's recommendations is, therefore, assessed as low.
- 6.2 Resources implications are set out in the body of this report.

7 Legal Advice and Implications

- 7.1 The Council is under a statutory obligation to appoint a Monitoring Officer under the Local Government and Housing Act 1989.
- 7.2 It is a statutory requirement under the Representation of People Act 1983 to appoint an Electoral Registration Officer and any failure to do so could lead the Council liable to challenge for failing to meet its statutory duties.
- 7.3 The report seeks to confirm the appointment of Helen Mitchell as the Council's Monitoring Officer and Paul Wilson (Chief Executive) as the Electoral Registration Officer
- 7.4 There are 2 recommended decisions to be made in connection with this report, the legal risk associated with these decisions has been assessed as low.

8 Equalities Implications

- 8.1 There are no particular implications arising from the actions that are proposed.

9 Climate Change Implications

- 9.1 There are no particular implications arising from the actions that are proposed.

10. Risk Management

- 10.1 If the recommendation is accepted, the risks are considered to be low given the experience and knowledge of the proposed postholders.

Report Authorisation

Approvals obtained from Statutory Officers:-

	Named Officer	Date
Chief Executive	Paul Wilson	19/09/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	25/08/2023
Monitoring Officer (or Legal Services Manager)	Kerry France	20/09/2023

Agenda Item 13

Council – 28 September 2023

PROPOSED AMENDMENTS TO THE CONSTITUTION – FINANCIAL REGULATIONS

Report of the Director of Resources

Report Author and Contact Details

Karen Henriksen, Director of Resources & Section 151 Officer
01629 761284 or karen.henriksen@derbyshiredales.gov.uk

Wards Affected

District-wide

Report Summary

To recommend the adoption of revised Financial Regulations (attached at Appendix 1) following a review to ensure that the rules comply with current best practice requirements. This technical part of the Constitution has multiple links and was last reviewed in September 2022.

Recommendation

That the draft Financial Regulations be approved and adopted as Part 9 of the Council's Constitution.

List of Appendices

Appendix 1 Draft Financial Regulations

Background Papers

None

Consideration of report by Council or other committee

N/A

Council Approval Required

Yes

Exempt from Press or Public

No

Proposed Amendments to the Constitution –Financial Regulations

1. Background

- 1.1 Section 151 of the Local Government Act 1972 requires the Council to make arrangements for the proper administration of its financial affairs. It is required to conduct its business efficiently and to ensure that it has sound financial management policies in place and that they are strictly adhered to. Financial regulations, which set out the financial policies of the Council, are the means by which the Council meets that requirement.
- 1.2 The Council has adopted Financial Regulations as part of the Constitution which have been amended from time to time as required to meet the Council's operational needs. The Financial Regulations were last reviewed in 2022.
- 1.3 The Monitoring Officer has delegated authority to make consequential changes to the Constitution to reflect the provisions of the Financial Regulations

2. Key Issues

- 2.1 Financial Regulations are an essential part of good corporate governance. They set out a clear regulatory framework for managing the Council's financial affairs, and they define those accountable for the use of the Council's resources. They state not only what has to be done, but who is responsible for it. They apply to every Member and employee of the Council and anyone acting on its behalf, including partnerships which are subject to formal partnership arrangements.
- 2.2 Financial Regulations should be used in conjunction with the Constitution, and other internal regulatory frameworks such as Contract Standing Orders, Codes of Conduct and the Scheme of Delegation.
- 2.3 The Director of Resources has carried out a review of Financial Regulations and a revised version is shown in Appendix 1. The key changes proposed in this report:
 - provide more clarity in respect of virements (budget transfers) and use of reserves (regulation 2.12.4);
 - provide minimum values for specific requirements relating to stocks and inventories (regulation 4.8.3);
 - set out more clearly the responsibilities and procedures relating to raising requests for customer invoices - sales orders (regulation 5.2);
 - set out more clearly the responsibilities and procedures relating to raising requests for customer invoices - sales orders (regulation 5.2);
 - set out more clearly the responsibilities and procedures relating to ordering and paying for work, goods and services (regulation 5.3);
 - update limits for delegated authority to approve virements & supplementary budgets and for the requirement to report to a policy committee or Council from £25,000 to £30,000. This reflects inflation

over recent years and aligns with the thresholds for Contract Standing Orders.

- 2.4 These Financial Regulations will be kept under review and when necessary amendments will be considered and recommendations made to Full Council. Changes will be required to support the introduction of new regulations, technologies, inconsistencies in the current regulations and minor drafting amendments.

3. Options Considered and Recommended Proposal

- 3.1 This report recommends that the Council replaces its existing Financial Regulations with the version set out in Appendix 1.

- 3.2 In preparing this report and the proposed changes consideration was given by the Director of Resources to recommended practice from CIPFA, as well as reviewing where improvements can be made to existing provisions. In view of this, it is recommended that the updated financial regulations be approved.

4. Consultation

- 4.1 The proposed changes to Financial Regulations have been subject to consultation with the Head of Paid Service (Chief Executive) and Monitoring Officer (Director of Corporate & Customer Services) as statutory officers. Other Directors of Service also had the opportunity to comment on the proposed changes. As a set of procedures that act as internal controls for the authority, the proposed changes have not been subject to external consultation.

5. Timetable for Implementation

- 5.1 It is expected that, subject to approval at the Council meeting on 28 September, the revised financial regulations will come into force on 1st October 2023. A copy of the revised Financial Regulations will be placed on the staff intranet and brought to the attention of employees.

6. Policy Implications

- 6.1 Good governance is the cornerstone for all the Council's corporate priorities and the adoption of revised Financial Regulations will provide further assurance to Members, officers and the electors of the Derbyshire Dales that the Council is operating to the highest standards in respect of its financial management.

7. Financial and Resource Implications

- 7.1 Financial Regulations help to ensure that the Council has satisfactory arrangements for the proper administration of its financial affairs. The proposed Financial Regulations set out a clear regulatory framework for managing the Council's financial affairs, and they define those accountable for the use of the Council's resources. This should ensure a high standard

of financial management that will reduce the risk of financial loss. The financial risk associated with this report's recommendation is therefore assessed as low.

- 7.2 Should the Council's financial regulations be inadequate, it could lead to a financial loss that could be a medium to high financial risk and could result in reputational damage.

8. Legal Advice and Implications

- 8.1 This report relates to the adoption of revised Financial Regulations
- 8.2 The report proposes effective financial regulations, which are to be read in conjunction with the Council's contract standing orders. Whilst not all risks can be mitigated, the measures currently in place provide for low legal risk.
- 8.3 The Council must prepare and keep up to date a constitution in accordance with s37 of the Local Government Act 2000. The minimum requirements for the content are set out in The Local Government Act 2000 (Constitutions) (England) Direction 2000 which includes a description of the rules and procedures for the management of the council's financial affairs including: procedures for auditing and financial rules. The finance regulations meet the requirements of the Local Government Act (Constitutions) (England) Direction 2000 and are the rules that officers follow in the day-to-day operation of the council as set out within this council's budget and statutory framework.
- 8.4 There is one recommendation stated within this report. The legal risk of taking the decision as recommended has been assessed as low.

9. Equalities Implications

- 9.1 There are no equalities implications for this report.

10. Climate Change Implications

- 10.1 There are no direct climate change implications arising from the recommendations of this report

11. Risk Management

- 11.1 Financial regulations are designed to provide good corporate governance and to mitigate risks of poor financial management. The current regulations are out of date, in some places, and this creates potential for confusion, errors and misunderstandings. Updating the regulations will address these issues and problems and ensure that the council continues to have sound financial management policies in place.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	18/09/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	20/09/2023
Monitoring Officer (or Legal Services Manager)	Kerry France	20/09/2023

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Financial Regulations Effective from 1 October 2023

To Be Approved by Full Council on 28 September 2023

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1 INTRODUCTION

1.1 Background

- 1.1.1. Section 151 of the Local Government Act 1972 requires the Council to make arrangements for the proper administration of its financial affairs. It is required to conduct its business efficiently and to ensure that it has sound financial management policies in place and that they are strictly adhered to. Financial regulations, which set out the financial policies of the Council, are the means by which the Council meets that requirement.
- 1.1.2. Financial regulations set out a clear regulatory framework and define those accountable for the use of the Council's resources. They state not only what has to be done, but who is responsible for it. They apply to every Member and employee of the Council and anyone acting on its behalf, including partnerships which are subject to formal partnership arrangements.
- 1.1.3. These Financial Regulations are based upon CIPFA guidance with amendments to reflect the Council's requirements and arrangements.
- 1.1.4. Readers of these financial regulations should link them to other internal regulatory frameworks which form part of the Council's constitution - for example – contract standing orders, schemes of delegation, Responsibility for Functions, and Employees' and Councillors' Codes of Conduct, which include specific issues such as hospitality and gifts. Consideration should also be given to the Council's policies relating to Anti-Fraud, Bribery and Corruption, Anti-Money Laundering, Confidential Reporting (Whistleblowing), Procurement and Employment.

1.2 Status of financial regulations

- 1.2.1. Financial Regulations apply to every Member and employee of the Council and anyone acting on its behalf.
- 1.2.2. Financial Regulations provide the framework for managing the Council's financial affairs. They also form an important element in the Council's overall Corporate Governance Framework.
- 1.2.3. Financial Regulations are to be used in conjunction with the Constitution, Contract Standing Orders and Scheme of Delegation. The Director of Resources, in consultation with the Monitoring Officer, shall determine any matter on which conflict may arise.
- 1.2.4. Financial Regulations are approved by the Council and are usually reviewed at each annual meeting.

1.2.5. The Financial Regulations set out the responsibilities and expectations of:

- Full Council, Committees and Members (Councillors)
- The Chief Financial Officer (CFO)*
- The Monitoring Officer (Director of Corporate & Customer Services)
- The Head of Paid Service (Chief Executive)
- The Corporate Leadership Team
- Designated budget holders and Senior Managers
- All other employees
- Organisations acting on behalf of the Council.

*Reference to the 'CFO' in this document means the Officer appointed to act as Section 151 Officer i.e. the Director of Resources.

1.2.6. All Members and employees have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, properly authorised and provides value for money.

1.2.7. The Director of Resources shall be the responsible financial officer for the proper administration of the financial affairs of the Council in accordance with Section 151 of the Local Government Act 1972 and all accounting procedures, systems and records of the Council and its officers shall be determined by the Director of Resources. The Director of Corporate and Customer Services as Monitoring Officer has responsibilities for legal compliance.

1.2.8. The Director of Resources is also the responsible officer under Section 114 of the Local Government Finance Act 1988 for reporting to Council if the authority:

- (a) has made or is about to make a decision which involves or would involve the authority incurring expenditure which is unlawful,
- (b) has taken or is about to take a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency on the part of the authority,
- (c) is about to enter an item of account the entry of which is unlawful.

In addition, the Director of Resources is under a duty to report to Council if it appears that the expenditure of the authority incurs (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure.

1.2.9. The Director of Resources is responsible for:

- maintaining a continuous review of the Financial Regulations and submitting any additions or changes necessary to full Council for approval;
- reporting, where appropriate, breaches of the Financial Regulations to the Council and any other appropriate committees;

- issuing advice and guidance to underpin the Financial Regulations that Members, employees and others acting on behalf of the Council are required to follow.
- 1.2.10. No item shall be placed before the Council or its Committees without obtaining the Director of Resources' assessment of its financial implications and financial risk. Any report containing new proposals shall include a financial risk assessment by the Director of Resources.
- 1.2.11. The Director of Resources shall support these Financial Regulations with the issue of more detailed instructions to Directors from time to time, including the issue of formal Financial Procedures.
- 1.2.12. The Director of Resources is responsible for maintaining a continuous review of Financial Regulations. Any changes to Financial Regulations shall be subject to approval of the full Council.
- 1.2.13. The Chief Executive and Directors are responsible for ensuring that all employees within their respective service areas are aware of the existence and content of, and comply with, the Council's Financial Regulations, Contract Standing Orders and any other financial instructions the Director of Resources might issue from time to time. Copies of these Financial Regulations are available on the Council's intranet.
- 1.2.14. Any disagreement arising over the interpretation, intention or application of the Financial Regulations shall be determined by the Director of Resources.
- 1.2.15. It may be considered a disciplinary offence if any employee fails to comply with these Financial Regulations.
- 1.2.16. Employees have a duty to report apparent breaches of Financial Regulations to an appropriate senior manager. The senior manager should report breaches of the Regulations to the Director of Resources and the Monitoring Officer who will decide what, if any, further action needs to be taken. The Director of Resources or Monitoring Officer may report any breach of Financial Regulations to the Governance and Resources Committee.
- 1.2.17. If an employee is in any doubt about the appropriate action required, they should consult their senior manager in the first instance. If there remains any doubt, advice should be sought from the Director of Resources before proceeding.
- 1.2.18. In these Financial Regulations all references to authorisation or signatures apply to those on hard copy (paper) and electronic records. A digital signature authorisation carries no less weight and imposes no less responsibility on the authorising officer than a handwritten signature. Designated authorising officers must ensure that they maintain the security of their personal user identity and password details as these identifiers will be taken as the equivalent of a personal, handwritten signature for the purposes of authorisation.

2 FINANCIAL MANAGEMENT

2.1 The Full Council

2.1.1. The Council is responsible for:

- the approval of these Financial Regulations;
- approving and adopting the policy framework and strategies, including those relating to financial affairs such as the Medium Term Financial Strategy and the Investment Strategy;
- approving the revenue budget capital programme, supplementary estimates and revised revenue budget, setting the council tax and authorising the treatment of reserves and balances;
- approving or adopting a plan or strategy for the control of borrowing, investments or capital expenditure, or for determining the authority's minimum revenue provision;
- confirming the appointment or dismissal of the Head of Paid Service, Corporate Director, Monitoring Officer or Chief Financial Officer;
- considering reports of statutory Officers i.e. from the Chief Financial Officer or Monitoring Officer;
- considering the reports of the Head of Paid Service in relation to organisational review and resources;
- providing the Council's Director of Resources with the resources necessary to carry out their statutory duties.

2.1.2. The Council must ensure that it has a sound system of internal control which

- facilitates the effective exercise of its functions and the achievement of its aims and objectives;
- ensures that the financial and operational management of the authority is effective;
- includes effective arrangements for the management of risk.

2.2 The Governance and Resources Committee

2.2.1. The Governance and Resources Committee takes the statutory role of an "Audit Committee" and provides independent review, challenge and assurance of the adequacy of the risk management framework and the associated control environment.

2.2.2. This Committee will consider specific issues or aspects of policy, procedure or service relating to:

- Asset Management
- Financial Governance
- Internal and External Audit
- Human Resources
- Legal and Corporate Governance

- Procurement and Contract Management
- Revenues and Benefits.

2.2.3. Here are some of the key tasks that the Council has delegated to this Committee:

- To have an overview of the Governance framework and to develop and review supporting policies and procedures;
- To approve and review the Council's Code of Corporate Governance and other supporting material;
- To approve the Annual Governance Statement and the Annual Statement of Accounts;
- To consider the External Auditor's reports on issues arising from the Audit of Accounts, the External Audit Plan, the Annual Audit Completion Report etc.
- To approve and review the internal audit plan, consider major findings of internal audit investigations and management's response, and promote co-ordination between the internal and external auditors;
- To keep under review the effectiveness of internal control systems, to receive the External Audit Management Letter on behalf of the Council and any representations and refer any issues requiring attention to the relevant committee and/or officer;
- To consider the appointment of the external auditor, the audit fee, the provision of any non-audit services by the external auditor and any questions of resignation or dismissal of the external auditor;
- To approve the Council's Risk Management Policy and Strategy and consider the annual monitoring report as part of considering the effectiveness of Risk Management, including the risks of bribery, fraud and Corruption.
- To be responsible for the effective management of the Council's land, buildings and property holdings;
- To act as the main "financial committee" to regulate and control the finances of the Council as defined in the Local Government Act 1972;
- To determine policy in relation to the Council's duties and responsibilities as an "employer" and in relation to human resources, employee training and development and industrial relations issues;
- To determine policy and oversee arrangements in relation to the Council's duties and responsibilities under the Data Protection Act;
- To undertake the role of the standards committee.

2.3 The Scrutiny Committee

2.3.1. The primary purpose of the Scrutiny Committee is

- To provide an independent review of Council decisions either before or after they have been made;
- To provide an independent review of decisions made by certain partner authorities;
- To make recommendations regarding the decisions made.

2.4 The Head of Paid Service

- 2.4.1. The Head of Paid Service is one of the three statutory officers. At Derbyshire Dales District Council the Chief Executive is nominated as the Head of Paid Service and is responsible for the corporate and overall strategic management of the Council as a whole. They must report to and provide information for the Full Council and Committees. They are responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation.

2.5 The Monitoring Officer

- 2.5.1. The Monitoring Officer is one of the three statutory officers. The Director of Corporate and Customer Services is the Council's appointed Monitoring Officer. The Monitoring Officer is responsible for the legal governance arrangements for the Council and reviews the Constitution, oversees the ethical framework, and has a personal duty to report to the Council any breaches in the rule of law. They are also responsible for promoting and maintaining high standards of conduct and for reporting any actual or potential breaches of the law or maladministration and for ensuring that the procedures for recording and reporting key decisions are operating effectively.
- 2.5.2. The Monitoring Officer is responsible for advising all Members and officers about who has the authority to take a particular decision and whether a decision is likely to be considered contrary to the policy framework. The Monitoring Officer and the Director of Resources are also responsible for advising the Full Council if a decision could be considered contrary to the budget.

2.6 The Chief Financial Officer

- 2.6.1. The Chief Financial Officer (CFO) is one of the three statutory officers. The responsibilities of the CFO are set out in statute, such as section 151 of the Local Government Act 1972. They refer to the totality of the financial affairs of the Council in all its dealings.
- 2.6.2. The Director of Resources is the Council's appointed Chief Financial Officer (CFO) and Section 151 Officer. This is a statutory post with overall responsibility for the financial affairs of the Council including the promotion of good financial management throughout the organisation, so that public money is safeguarded at all times, and used appropriately, economically, efficiently and effectively.
- 2.6.3. The CFO's responsibilities include setting and monitoring compliance with financial management standards, advising on the corporate financial position and on key financial controls, providing financial advice, advising on preparation of revenue and capital budgets, and treasury management.

- 2.6.4. The role of CFO conforms to the good practice requirements within the CIPFA statement on “The Role of the Chief Financial Officer in Local Government”. The Council’s Chief Financial Officer is a full member of the Corporate Leadership Team and is supported by appropriately qualified and experienced staff.
- 2.6.5. The Director of Resources helps the Corporate Leadership Team to develop and implement strategy and to resource and deliver the organisation’s objectives for the long term and in the public interest. They are actively involved in, and able to bring influence to bear on all material business decisions, to ensure that the immediate and longer-term implications, opportunities and risks are fully considered, and consistent with the overall financial strategy.
- 2.6.6. The Director of Resources is responsible for advising committees on all financial matters. They must be consulted on all financial matters and given adequate opportunity to provide written comments in any report with financial implications.
- 2.6.7. Where the urgency procedures set out in the Council’s Constitution are to be invoked, the Director of Resources must first be consulted on financial and other resource implications.
- 2.6.8. After consulting with the Head of the Paid Service and the Monitoring Officer, the Director of Resources will report to the Full Council and the Council’s external auditor if he/she considers that any proposal, decision or course of action will involve incurring unlawful expenditure or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- 2.6.9. The Director of Resources, if necessary in conjunction with the Chief Executive and after consultation with the Leader of the Council, shall have the powers to take any action necessary to safeguard the interests of the Council.

2.7 Directors

- 2.7.1. Directors must operate efficient systems of financial control and are responsible for:
- proper financial administration of the services under their control in accordance with these Financial Regulations;
 - promoting these Financial regulations and issuing guidance on their application to their respective employees;
 - timely provision of such information on the financial affairs of their services as the Director of Resources may request;
 - ensuring that the financial implications of all proposals have been agreed by the Director of Resources;
 - consulting with the Director of Resources and seeking their approval on any matter that could materially affect the Authority’s financial position before any commitments are incurred;
 - Informing the Director of Resources of any situation that may create a contingent liability, potential claim or litigation.

2.8 The Money Laundering Reporting Officer

- 2.8.1. The Council has nominated the Director of Resources as the Money Laundering Reporting Officer. They are responsible for notifying the National Criminal Intelligence Service (NCIS) of any suspected cases of money laundering committed within the accounts of the Council as soon as possible and for other duties as defined by legislation or regulation related to the post.

2.9 Accounting Arrangements

- 2.9.1. The Director of Resources is responsible for determining the accounting and supporting records of the Council and its financial control system.
- 2.9.2. The Director of Resources must ensure that the financial control systems are observed and that the accounting records are kept up to date. The accounting records must contain:
- entries from day to day of all sums of money received and spent by the Authority and the matters to which its income and expenditure or receipts and payments relate;
 - a record of the assets and liabilities of the Authority.
- 2.9.3. The financial control systems determined by the Director of Resources must include measures:
- to ensure that the financial transactions of the Authority are recorded as soon as, and as accurately as, reasonably practicable;
 - to enable the prevention and the detection of inaccuracies and fraud, and the reconstitution of any lost records;
 - to ensure that risk is appropriately managed;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers.
- 2.9.4. Accounting procedures will reflect recommended professional practices, and follow accounting principles as determined by the Director of Resources. Accounting procedures will be reviewed as necessary by the Director of Resources in consultation with Directors. No change to existing accounting procedures may be made without prior consultation with the Director of Resources.
- 2.9.5. The Director of Resources must examine and certify where required any submission, estimate, or claim for payment of grant by a Government Department or funding from any other body. Officers responsible for the administration of such

grants, funds and spending associated with them must ensure compliance with the conditions of the grant or funding.

- 2.9.6. The Director of Resources must examine and certify where required any financial return to a Government Department or other body.

2.10 Financial Outturn

- 2.10.1. The Director of Resources will prepare a report to full Council on the Revenue and Capital Outturn after the financial year-end.

2.11 Annual Statement of Accounts

- 2.11.1. The Director of Resources is responsible for ensuring that the annual statement of accounts is prepared in accordance with the *Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice* (CIPFA/LASAAC).
- 2.11.2. The Director of Resources shall advise the Corporate Leadership Team of any accounting changes that are likely to have a significant impact on the Council's financial position or any requirements for additional information or record keeping.
- 2.11.3. Following appropriate consultation, the Director of Resources shall issue a "Final Accounts Closedown Programme" before the financial year end. All officers are required to support the closedown programme and to alert the Director of Resources to any issues or delays in achieving the timetable.
- 2.11.4. The Director of Resources shall carry out the following in accordance with the deadlines set in the Accounts and Audit Regulations:
- sign and date the statement of accounts, and confirm that they are satisfied that it presents a true and fair view of the financial position of the authority at the end of the financial year to which it relates and the Authority's income and expenditure for that financial year;
 - publish the draft Statement of Accounts on the Council's website;
 - advertise the audit of the Statement of Accounts and the period of public inspection.
- 2.11.5. The Statement of Accounts is subject to external audit, to provide assurance that the accounts have been prepared correctly, that proper accounting practices have been followed and that proper arrangements have been made for securing economy, efficiency and effectiveness in the use of the Authority's resources.
- 2.11.6. The Director of Resources shall liaise with the external auditors to set the detailed external audit timetable. The Director of Resources shall ensure the external auditors have the facilities and systems access necessary to complete their audit.
- 2.11.7. The Director of Resources shall report the audited statement of accounts to the

Governance and Resources Committee prior to 30 September following the financial year end. The Committee shall also consider the external audit completion report and the letter of representation. The Committee shall approve the statement of accounts on behalf of the Council. The Director of Resources must then publish the approved Statement of Accounts together with the external auditor's opinion on the Council's website.

2.12 Virements (Budget Transfers)

- 2.12.1. Transfers between budgets, known as virements, are an integral and important feature of budgetary control. They provide the Corporate Leadership Team and Budget Holders with the flexibility to adapt expenditure patterns to meet changing service needs and objectives, or to respond to unforeseen cost increases. Virements should not be made to balance over and underspends that have occurred.
- 2.12.2. Virements can be "one-off" for a single financial year or permanent. Permanent virements require an adjustment to the base budget. Transfers may be made where the management responsibility for a service has changed.
- 2.12.3. Virements will be allowed only where they are within the overall policy framework. They must not create an increasing commitment in future years which cannot be contained within existing approved budget allocations,.
- 2.12.4. Directors may authorise virements of up to £10,000 from one service provision to another within their respective directorate budget portfolio after consultation with the Director of Resources. Virements from £10,000 to £30,000 within or between directorate portfolios, or by the use of a reserve set aside for the specific purpose, may be approved by the Director of Resources. For virements / budget transfers exceeding £30,000, a report shall be taken to the Governance and Resources Committee.
- 2.12.5. Budgets for salaries, wages and associated costs (such as agency cover, recruitment advertising etc.) may be amended, following approval by the Corporate Leadership Team, provided that the cost is within the overall employee budget.
- 2.12.6. Directors will notify the Director of Resources of all virement decisions before expenditure is committed.
- 2.12.7. The authorisation limits set out above do not apply to technical budget transfers necessitated by proper accounting practice that may be authorised by the Director of Resources.

2.13 Carry forwards

- 2.13.1. The Committed Expenditure Reserve may be used to carry forward budget under spending into the next financial year. This prevents the rush to spend up to budget at the end of the financial year, which can lead to poor spending decisions.

- 2.13.2. Carry forwards may also be permitted where it is known that material budgeted expenditure will not now be incurred until the next financial year.
- 2.13.3. Carry forwards will be determined in accordance with guidelines issued by the Director of Resources, considering the Authority's overall financial position.

2.14 Emergency expenditure

- 2.14.1. The Chief Executive and / or Director of Resources has authority to carry out any function of the Council and to approve a supplementary revenue or capital budget of up to £30,000 in order to carry out that function, provided that the Chairman of the relevant policy committee has been consulted and the spending is in advancement of an approved policy position or project or in accordance with a specific Committee or Council decision.
- 2.14.2. The Director of Resources has authority to approve supplementary revenue and capital budgets where a grant has been awarded subsequent to the revenue budget or capital programme being approved and it is necessary, in order to meet grant conditions, to incur associated expenditure before a report can be taken to Council to request a supplementary revenue or capital budget. In such cases, the amounts will be reported to a future Council meeting as part of an updated capital programme or revenue budget monitoring.

2.15 Financial Training

- 2.15.1. The Corporate Leadership Team is responsible for ensuring that employees receive appropriate training to undertake their financial responsibilities, in accordance with any standards set by the Director of Resources.
- 2.15.2. The Director of Resources will provide training and advice to Members, to ensure that they have an understanding of the Council's strategic financial position.

2.16 Accounting policies

- 2.16.1. The Director of Resources is responsible for selecting accounting policies and ensuring that they are applied consistently.
- 2.16.2. The Governance and Resources Committee will be requested to endorse the accounting policies each year as part of the process for the Statement of Accounts.
- 2.16.3. Use of Capital Receipts - All capital receipts will be treated as corporate capital receipts unless specific approval for an alternative treatment is obtained from Full Council.

3 FINANCIAL PLANNING AND BUDGETARY CONTROL

3.1 Policy Framework

3.1.1. The Council has an integrated planning framework, which links the Corporate Plan and Service Plans with financial planning. Annual service plans for the coming financial year are approved at the budget setting Council meeting each March alongside the revenue budget, the capital programme and the Medium-Term Financial Plan (MTFP). This enables scarce resources to be allocated in accordance with the Council's priorities.

3.2 Performance Management

3.2.1. Performance Management is a key element of the management of the organisation. It involves setting objectives, priorities, targets and plans, including financial plans, for all key service areas.

3.2.2. Performance against objectives, priorities and targets is monitored regularly with a view to achieving an integrated planning and review process across the Council. Appropriate action is taken to address the areas that are highlighted by monitoring as needing attention.

3.2.3. The Corporate Plan sets out the Council's objectives and priorities for a four year period. Annual Service Plans set out how the Council will achieve the outcomes and overall actions that are set out in the Corporate Plan. Both the Corporate Plan and annual Service Plans are set alongside the budget

3.3 Medium term planning and budgeting

3.3.1. To deliver the Corporate Plan the available money must be allocated in the most effective way, especially when resources are limited. The Council must have a Medium-Term Financial Strategy and a sustainable Medium Term Financial Plan. A robust challenge process must be in place to ensure that the decisions made are achieving value for money. Budget setting and monitoring is an integral part of performance management.

3.3.2. Medium term financial planning requires:

- planning ahead
- linking resources to the corporate plan priorities
- ensuring that a balanced budget will be delivered
- looking at opportunities for efficiency savings and new income streams.

3.3.3. The Director of Resources shall prepare a Medium Term Financial Strategy (MTFS), which includes:

- A Medium-Term Financial Plan (MTFP), covering five financial years – the current year and the next four years;

- A policy in respect of reserves and provisions;
- A risk assessment.

- 3.3.4. The Medium-Term Financial Strategy (MTFS) should be linked to corporate objectives, the Corporate Plan and other Council strategies/plans as appropriate.
- 3.3.5. The MTFS and MTFP should address reaching or maintaining the recommended level of reserves (see section on reserves below).
- 3.3.6. The MTFS should be updated by the Director of Resources and approved by the Council on an annual basis prior to the preparation of detailed budgets.

3.4 Revenue budget setting and monitoring

- 3.4.1. The Director of Resources is responsible for ensuring that a revenue budget for the coming year and a medium-term financial forecast for the four subsequent financial years are prepared for consideration by Full Council in March each year. The budget and the medium-term financial forecast are both driven by the corporate plan.
- 3.4.2. Annual revenue estimates and annual revised revenue estimates shall be prepared jointly by the respective Director of Service and the Director of Resources.
- 3.4.3. The Director of Resources shall make a budget report to the March Council meeting on the estimates for services for the following financial year. The proposed budget will reflect the Council's financial position taking account of potential government funding, council tax and business rates and medium-term financial issues. The report will include the Director of Resources' assessment of the robustness of estimates contained within the proposed budget and the adequacy of reserves allowed for in the budget proposals.
- 3.4.4. The Council is legally obliged to set a balanced budget. The Full Council is responsible for approving the annual revenue budget and council tax for the coming financial year.
- 3.4.5. A rolling budget will be maintained throughout the year, reflecting budget changes arising from Council decisions made in the year after the budget was set, virements and supplementary estimates.
- 3.4.6. A mid-year report, reflecting income and expenditure to the 30 September (Q2), will be presented (usually to the October/November Council meeting) for approval of the annual revised estimates/budget for the current financial year.
- 3.4.7. The Director of Resources will present budget monitoring reports to the Governance and Resources Committee, and these reports will include a summary of any budget changes approved under delegated authority for the Committee to note, alongside any necessary budget changes for Member approval, as follows:

- To the July/August meeting, for the period ending 30 June (Q1);
- To the February / March meeting, for the period ending 31 December (Q3).

- 3.4.8. Following the financial year-end and prior to the statutory deadline to publish the Statement of Accounts, the Director of Resources shall present a provisional outturn report to Council. This report provides details of the provisional financial outturn for the year just ended and significant variations from the approved budget. It also seeks approval for the treatment of any under- or over-spending and transfers to and from reserves.
- 3.4.9. It is the responsibility of each Director of Service to ensure that the budgets for controllable expenditure on each Service (as shown in the circulated budgetary control reports) are not exceeded. Where it appears that such a service provision shall be exceeded by an amount in excess of £10,000, it shall be the duty of the Director of Service concerned, in consultation with the Director of Resources, to inform the relevant policy committee with recommendations on how the expenditure is to be funded or defrayed.
- 3.4.10. Directors may designate specific officers as budget holders. A budget holder is an individual who has been nominated by their Director as having responsibility for the managing specified budgets.
- 3.4.11. Directors must ensure that there is a clear allocation of responsibility for revenue budgets at cost centre level and for capital projects / schemes within their service areas. Budget responsibility should be aligned as closely as possible to the decision making that commits expenditure. Managers should be budget holders for their own areas and should be accountable for budget variances within them. Budget Holders must also take any action necessary to avoid exceeding their budget allocation or to address shortfalls in income. Directors must alert the Director of Resources to any significant financial variation (i.e. over £10,000) not previously reported in budget monitoring. The notification must also include an explanation of how the Director intends to ensure that any adverse variance is minimised. Directors must report any problem in delivering previously agreed savings in a format determined by the Director of Resources.
- 3.4.12. A budget holder is not expected to be an accountant but is required to manage their budgets effectively. This means ensuring that budgets are adhered to i.e. that expenditure does not exceed the budget and that income does not fall short. In addition, a budget holder must operate in a manner consistent with the Council's policies and be aware of any objectives or targets the Council has set relating to the particular cost centre(s) under his/her control.
- 3.4.13. A budget holder's responsibilities include:-

Budget Preparation:

- a) To prepare estimates in accordance with deadlines and guidance specified by the Director of Resources, such as the Budget Holder's Manual;

- b) To provide any budget data that the Director of Resources deems necessary for the production of estimates;
- c) To respond promptly to any queries from the Director of Resources or the Financial Services Team regarding the above.

Budget Monitoring:

- a) To examine monthly budgetary control reports, supplying information required by the Director of Resources within specified timescales;
- b) To identify any budget variances and inform the Director of Resources and service director of variances exceeding (or likely to exceed) £10,000;
- c) To take action promptly to deal with budget variances.

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- a) To examine actual expenditure and income to ensure that it is fully accounted for in the correct financial year;
- b) To explain any budget variances that exceed £10,000 and to identify whether they are one-off or likely to recur in the following financial year;
- c) To complete accruals and other year-end processes as required by the Director of Resources.

- 3.4.14. No expenditure introducing major continuing liabilities to the Council, particularly new projects which involve financial commitments in future years, new policy or extension of services, may be incurred without prior consultation with the Director of Resources and the approval of Council either through the budget or separately in the course of the financial year. Such a report shall detail all the financial consequences and state whether sufficient financial provision is available in the budget for the proposal in current and future years and what action is proposed if such provision is not available.
- 3.4.15. A Director shall not incur a liability which would cause expenditure to exceed an approved budget head unless this can be met by way of a supplementary estimate or virement. The necessary approval must be obtained in advance of the relevant commitment being made. Any request for a Supplementary Estimate shall be made after consultation with the Director of Resources.
- 3.4.16. Additional income and savings that do not arise as a result of operational management decisions may be used to finance additional expenditure only after consultation with the Director of Resources who may require a report to the relevant policy committee or full Council.
- 3.4.17. Directors have a responsibility to ensure that value for money is being achieved e.g. comparing costs and looking at procurement practice and opportunities.

3.5 Capital programme

- 3.5.1. Capital expenditure relates to the acquisition or enhancement of fixed assets with a long-term value to the Authority, such as land, buildings, major items of plant and equipment, vehicles or new ICT. Capital assets shape the way services are delivered for the long term and create financial commitments for the future in the form of financing costs and revenue running costs.
- 3.5.2. Full Council is responsible for approving the capital programme and for monitoring actual expenditure against the programme. In order to provide sufficient challenge, policy committees will consider requests for new capital projects which, if approved, will be referred to Council for approval in the capital programme.
- 3.5.3. New capital projects: Where expenditure is required or anticipated which has not been included in the Capital Programme, a revision to the Capital Programme is required before that spending can proceed. A full business case must be completed for each proposed capital project. Business cases for new capital projects shall be assessed firstly by the Capital Programme Working Group, who will score the new bids prior to making recommendations to the Corporate Leadership Team. The Corporate Leadership Team will then consider the projects to be referred to Council for inclusion in the capital programme, taking into account the Council's priorities, the availability of funding etc. For projects over £30,000, or those of a political nature, a report is required to the relevant policy committee before the project is referred to Council for inclusion in the capital programme; if in doubt, the Director should seek the advice of the Director of Corporate and Customer Services.
- 3.5.4. Increased costs: Changes which result in an increase in the amount of an accepted tender or estimate by 10% or £50,000, whichever is the lower, shall be reported to the Director of Resources as soon as possible with an estimate of the probable new cost and an explanation of the additional cost. If the additional cost cannot be contained within the capital programme allocation, it will be necessary to seek approval from Council for any additional expenditure as part of the updated capital programme.
- 3.5.5. Revisions to the Capital Programme will generally be taken to Council only in March, May/June and October/November each year, unless there are exceptional circumstances. It is the role of the relevant policy committee to oversee the delivery of projects, within the approved capital programme.
- 3.5.6. The inclusion of a capital project within the Capital Programme will authorise the relevant Director to seek tenders to undertake the work subject to:
- compliance with the Council's Contract Standing Orders;
 - the Policy Committee or Council not having placed a specific requirement to report back prior to the issuing of tender documents.
- 3.5.7. The Director of Resources is responsible for:

- Recommending the Capital Programme covering the next four financial years to Council – this usually takes place in March (as part of budget setting), May/June (reporting the provisional out-turn) and October/November (a mid-year review) each year;
- Prescribing the items to be included in the business case template, to be used to assess proposed capital projects;
- Re-profiling projects already in the approved programme where expenditure is delayed or required sooner than anticipated;
- Changing the budget for projects already in the approved programme where appropriate;
- Ensuring that the capital programme is consistent with corporate, service and asset management objectives and priorities;
- Ensuring that projects to be recommended for inclusion in the capital programme have been evaluated using a robust business case process;
- Ensuring that the programme is fully funded and is affordable and sustainable in accordance with statute and the CIPFA Prudential Code;
- Ensuring that the Medium Term Financial Forecast makes appropriate revenue provision for capital financing cost and other revenue implications of capital programme projects;
- Ensuring that external funding for projects is maximised as far is appropriate;
- Preparing a Capital Strategy and a Minimum Revenue Provision Strategy;
- Ensuring that the Capital Programme is consistent with the recommended Treasury Management Strategy;
- Determining accounting policies on capitalisation in the Council's accounts.

3.5.8. The relevant Director is responsible for:

- Preparing a full business case for each proposed capital project and submitting it to the Capital Programme Working Group for consideration, within agreed timescales;
- Where business cases are approved by the CPWG and the Corporate Leadership Team for projects over £30,000, or those of a political nature, preparing a report to the relevant policy committee before the project is referred to Council for inclusion in the capital programme;
- Controlling and monitoring spending against the amount in the capital programme and reporting significant changes to the CPWG (and Director of Resources if appropriate – see above), with explanations for the changes.
- Providing the CPWG with proposals to re-profile projects already in the approved programme where expenditure is delayed or required sooner than anticipated;
- Entering financial monitoring information onto the monthly monitoring reports provided by the financial services team;
- Providing the Director of Resources with information that is required for inclusion in reports to policy committees, council or for accounting purposes;
- Compliance with contract standing orders.

- 3.5.9. Directors must not enter into credit arrangements, such as leasing agreements, without the prior approval of the Director of Resources and the Monitoring Officer and, if applicable, approval of the scheme should be included as part of the capital programme.

3.6 Determination of Affordable Borrowing

- 3.6.1. It is the responsibility of the Director of Resources to provide the Council with a written report on affordable levels of borrowing. This report is to be presented at the meeting when the annual budget is set and should have regard to the Prudential Code for Capital Finance issued by the Chartered Institute of Public Finance and Accountancy. The report will contain a number of prudential indicators that demonstrate that capital spending plans are affordable, prudent and sustainable.

3.7 Reserves

- 3.7.1. It is the responsibility of Director of Resources to provide the Council with a written report on levels of reserves that are considered prudent. This advice is usually included in the Budget Setting Report (see section on budget above).
- 3.7.2. The Authority's Medium Term Financial Strategy and Medium-Term Financial Plan should address reaching or maintaining the recommended level of reserves.

4 RISK MANAGEMENT AND CONTROL OF RESOURCES

4.1 Introduction to risk management

4.1.1. All organisations face risks to their people, property, finances, services, reputation and continued operations. Risk management is about systematically identifying and actively managing these risks. It is an integral part of good business practice and is essential to securing the Council's assets and to ensuring continued financial and organisational wellbeing.

4.1.2. Risk can be mitigated by:

- transferring the risk to a third party, e.g. through insurance;
- implementing additional controls to minimise the likelihood of the risk occurring and/or minimising its potential impact (e.g. through regular inspection and continuous monitoring of identified key risk areas);
- establishing and regularly testing business continuity and disaster recovery procedures to deal with the consequences of events and minimise potential disruption.

4.1.3. The Council has a Risk Management Policy and Strategy. The Council's approach to managing risk is a continuous review of exposure to risk within service areas, overseen by the Chief Executive and the Risk Continuity Group. This is delivered through the maintenance and review of strategic and operational risk registers, which detail the risks and action plans, together with the maintenance of a business continuity plan, an emergency plan and disaster recovery processes, as well as adequate insurance cover. It is essential that risk management is incorporated into business processes in line with corporate guidelines. These processes include budget preparation and integrated service and financial planning, budget monitoring and performance management, programme and project management, procurement and contract management.

4.2 Responsibilities

4.2.1. All Councillors and Managers are responsible for ensuring that risks are considered in the decisions they take. The Council has a Risk Management Policy and Strategy that is usually reviewed every two years. It is the Council's policy to proactively identify, understand and manage the risks inherent in our services and associated within our plans and strategies, so as to encourage responsible, informed risk taking.

4.2.2. All Councillors and employees shall ensure that they identify, manage and act on opportunities as well as risks to enable the Council to achieve its objectives and integrate risk management into the culture and day to day working of the Council. Activities that are suspected to be high risks should be reported immediately to the relevant Director.

4.2.3. Service Managers shall carry out quarterly risk reviews and update the risks that sit within their respective service's risk register. Each Director will nominate a representative(s) to sit on the Risk Continuity Group (RCG).

- 4.2.4. The Risk Continuity Group (RCG) shall meet quarterly to review the Council's Strategic Risk Register and to ensure that there are adequate arrangements for risk reduction measures, training and risk management information to enable officers and members to perform their duties.
- 4.2.5. The RCG shall prepare a Risk Management Strategy (and review it every two years) and a Risk Management Annual Report. The Corporate Leadership Team shall consider these documents before they are presented to the Governance and Resources Committee for scrutiny and approval.
- 4.2.6. The Governance and Resources Committee is responsible for:
- Independent review, challenge and assurance of the adequacy of the risk management framework and the associated control environment;
 - Approval of the Council's Risk Management Policy and Strategy;
 - Consideration of the annual risk management monitoring report (as part of considering the effectiveness of Risk Management, including the risks of bribery, fraud and Corruption);
 - Reviewing the effectiveness of the risk management process.
- 4.2.7. The Chief Executive is responsible for:
- Ensuring that strategic risks are effectively managed within the Council; and
 - Providing an annual statement of assurance on strategic risks (the Risk Management Annual Report).
- 4.2.8. The Corporate Leadership Team is responsible for:
- Scrutinising significant risks in more detail as part of their annual work programme, as appropriate;
 - Taking corporate responsibility for risk;
 - Ensuring that a business continuity plan and emergency plan are in place;
 - Ensuring that disaster recovery processes are in place and are sufficient;
 - Addressing issues that cannot be addressed within service budgets or risk management fund of an extreme or high assessment;
 - Receiving reports of all extreme or high assessments.
- 4.2.9. Directors are responsible for:
- Championing and taking overall responsibility for implementing the Risk Management Strategy and embedding risk management throughout the Council;
 - Maintaining awareness of and promoting the approved risk management strategy to all employees;
 - Ensuring that there are regular reviews of risks within their respective services;
 - Maintaining an operational risk register for their respective services;
 - Reviewing risks identified by the line managers and team leaders;
 - Ensuring that risks which have been identified are addressed and mitigated

and that any high risks are addressed urgently;

- Reviewing risk action plans and ensuring that they are implemented;
- Ensuring that risk management is incorporated into service plans and project plans;
- Ensuring that a full risk assessment is included on all Committee / Council reports.

4.2.10. The Risk Continuity Group is responsible for:

- Preparing and recommending changes to the risk management strategy;
- Preparing, monitoring and reviewing the strategic risk register on a regular basis;
- Identifying and assessing / scoring risks on the strategic risk register;
- Recommending actions to address risks; and
- Arranging and providing risk management training as appropriate.

4.2.11. Managers and Team Leaders are responsible for:

- Identifying and analysing risks;
- Undertaking assessments at service level, at frequencies defining by Directors;
- Preparing risk register entries.

4.2.12. All employees are responsible for:

- Managing risk effectively in their job and reporting opportunities and risks to their managers or team leaders;
- Participating in risk assessment and action planning where appropriate;
- Adhering to Council policies and procedures; and
- Attending training and development sessions when requested.

4.3 Insurance

4.3.1. The Council maintains insurance cover to deal with the financial consequences of any incident which may give rise to a claim being made by/against the Council or result in financial cost or loss which may not otherwise be provided for.

4.3.2. The extent to which the Council “self-insures” is informed by the perceived risk and the Council’s claims history and is determined by the Director of Resources.

4.3.3. The Director of Resources shall be responsible for effecting and reviewing all necessary insurance and for effecting corporate insurance cover, through external insurance and internal funding, and negotiating all claims in consultation with other officers, where necessary, and for arranging suitable Fidelity Guarantee insurance in respect of all employees.

4.3.4. Directors shall be responsible for notifying the Director of Resources immediately of changes in any insurable risks (such as new properties or vehicles or

disposals).

- 4.3.5. Directors shall notify the Director of Resources immediately of any loss, liability or damage that may lead to a claim against the Council.
- 4.3.6. Directors shall submit claims, or information in respect of claims, in accordance with arrangements made by Director of Resources. It is imperative that officers respond promptly to information requests and comply with the timescales for investigating claims and the insurer's conditions. Failure could directly affect the authority's ability to make or defend a claim or could result in financial penalties being imposed on the authority.
- 4.3.7. Directors shall consult the Director of Resources, the Director of Corporate and Customer Services and the Chief Executive before giving any indemnity, or making any admission of liability for or on behalf of the Council.
- 4.3.8. Directors should ensure that employees, or anyone covered by the authority's insurances, do not admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.
- 4.3.9. Directors should consult the Director of Resources and the Director of Corporate and Customer Services and seek legal advice on the terms of any indemnity that the authority is requested to give.

4.4 Internal control

- 4.4.1. Internal control refers to the systems devised by management to guard against risk and promote achievement of objectives. More specifically, internal controls promote:
 - the achievement of business objectives and performance standards;
 - compliance with plans, policies, procedures, codes of conduct, laws and regulations;
 - the reliability, integrity, timeliness and usefulness of information;
 - the legality of transactions and compliance with approved budgets and procedures;
 - the safeguarding of people, property, finances, services, continued operations and reputation.
- 4.4.2. Internal controls are an essential part of the Council's risk management arrangements and should be reviewed on a regular basis. Control systems should provide for clarity of policies, objectives, targets, responsibilities and accountabilities, and appropriate authorisations and approvals, separation of duties, level of internal check, management information and physical safeguards.
- 4.4.3. The Director of Resources is responsible for assisting the Authority in putting in place an appropriate control environment and effective internal controls which provide reasonable assurance of effective and efficient operations, financial stewardship, probity and compliance with all applicable statutes, regulations and

codes of practice.

- 4.4.4. The Account and Audit Regulations 2015 require the publication of an Annual Governance Statement. The statement represents the end result of a review of internal control and risk management and includes a description and evaluation of the internal control environment, the review process, and any significant issues.
- 4.4.5. The Director of Resources, in consultation with the Director of Corporate and Customer Services, Internal Audit Consortium Manager and the Corporate Leadership Team, shall draft an Annual Governance Statement in accordance with the Accounts and Audit Regulations.
- 4.4.6. The Governance and Resources Committee is responsible for reviewing the Annual; Governance Statement and should seek to satisfy itself that it has obtained sufficient, relevant and reliable evidence to support the disclosures made.
- 4.4.7. Following approval by the Committee, the statement shall be signed by the Chief Executive and the Leader of the Council by the statutory deadline.

4.5 Internal audit

- 4.5.1. Internal audit is an independent appraisal function that advises management on the effectiveness of their governance, risk and internal control arrangements.
- 4.5.2. The key features of internal audit are:
- it is independent of service operations in its planning and operation;
 - it has sufficient organisational status to facilitate effective discussion and negotiation of the results of its work;
 - it utilises risk-based methodologies in planning and delivering its work and does not have undue limitations placed on its scope;
 - the Chief Internal Auditor / Head of the Internal Audit Consortium has direct access to senior managers, elected members and the external auditor as appropriate;
 - Internal auditors comply with guidance issued by professional bodies, mainly the Public Sector Internal Audit Standards.
- 4.5.3. Internal Audit employees are authorised to appraise the adequacy of procedures employed by Directors of Service to secure economy, efficiency and effectiveness in the use of resources.
- 4.5.4. In accordance with Regulation 5 of the Accounts and Audit (England) Regulations 2015, the Council must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account Public Sector Internal Auditing Standards or other guidance. This function shall be under the control of Director of Resources.
- 4.5.5. The Governance and Resources Committee shall be responsible for:-

- a) agreeing a 3-year strategic Internal Audit Plan and annual operational Internal Audit Plan;
- b) monitoring Internal Audit compliance therewith;
- c) considering reports produced in accordance with the Internal Audit Plan and responses to the recommendations made.

4.5.6. The Director of Resources or his/her authorised representative, shall have authority to:-

- a) enter any Council premises or land at any reasonable times;
- b) have access to all assets, records, documents, correspondence and control systems;
- c) receive any information and explanation considered necessary concerning any matter under consideration;
- d) require any employee of the Council to account for cash, stores or any other Council property under his/her control;
- e) access records belonging to third parties, such as contractors, when required (note that contracts should specify access rights);
- f) directly access the senior managers and elected members where appropriate.

4.5.7. The Director of Resources, supported by the Head of Internal Audit, will ensure that strategic and annual audit plans are prepared and that they take account of the characteristics and relative risks of the services being reviewed.

4.5.8. Directors are required to notify the Director of Resources of new areas of risk which may need to be subject to audit review. The Director of Resources' shall approve any new systems for the maintenance of financial records, or records of assets of the authority, or any changes to such systems.

4.6 External audit

4.6.1. The external auditor's responsibilities are defined in the Local Audit and Accountability Act 2014 and carried out in accordance with the Code of Audit Practice issued by the National Audit Office. This requires the auditor to review and report:

- I. that the accounts comply with the requirements of the enactments that apply to them;
- II. that proper practices have been observed in the preparation of the statement of accounts, and that the statement presents a true and fair view; and
- III. that the authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

4.6.2. The Governance & Resources Committee's responsibilities relating to external audit are:

- To consider the External Auditor's reports on issues arising from the Audit of Accounts, the External Audit Plan, the Annual Audit Letter etc.;
- To promote co-ordination between the internal and external auditors;
- To receive the External Audit Management Letter on behalf of the Council and any representations and refer any issues requiring attention to the relevant committee and/or officer;
- To consider the appointment of the external auditor, the audit fee, the provision of any non-audit services by the external auditor and any questions of resignation or dismissal of the external auditor.

4.6.3. The Director of Resources is responsible for:

- procuring and managing the contract for the external auditor;
- liaising with the external auditor to make arrangements for the audit and to discuss the findings of the audit;
- preparing reports on external audit issues for the Governance and Resources Committee;
- giving advice on external audit issues to the Committee, Chief Executive, Directors and other officers on their responsibilities in relation to external audit and issues arising from the audit.

4.6.4. The Chief Executive, Director of Resources and other Directors are required to:

- ensure that external auditors are given access at all reasonable times to premises, personnel, documents, and assets;
- ensure that external auditors are provided with information and explanations that the external auditors consider necessary for the purposes of their work;
- consider and respond promptly to recommendations in external audit reports;
- ensure that agreed actions arising from audit recommendations are carried out in a timely and efficient fashion and in line with the timescale agreed with the external auditor; and
- report on progress.

4.7 Preventing fraud, corruption and money laundering

4.7.1. The Council is responsible for substantial public funds and other assets and has a duty to demonstrate the highest standards of probity and stewardship in the day to day management of its affairs.

4.7.2. It is therefore expected that Members and staff at all levels will lead by example

in ensuring adherence to legal requirements, rules, procedures and practices. The Council also expects that individuals and organisations, with which it comes into contact, will act towards the Council with honesty and integrity. The Council expects all partners in both public and private sectors to establish robust and transparent governance arrangements.

- 4.7.3. Money laundering involves the ‘cleaning’ of illegal proceeds in order to disguise their criminal origin. The proceeds of criminal activity, usually cash, are introduced into the financial system where they are laundered enabling them to leave the system appearing to come from a legitimate source. The Council could be subject to money laundering attempts when accepting payments by cash in relation to the payment of substantial bills.
- 4.7.4. Responsibility for the prevention and detection of fraud, corruption, bribery and money laundering rests with all Councillors and employees of the Council. The key controls regarding the prevention of financial irregularities are that:
- the Authority has an effective [Anti-Fraud, Bribery and Corruption Strategy \(including Anti-Money Laundering Policy\)](#) in place and maintains a culture that will not tolerate any form of fraud, corruption, bribery, money laundering, abuse of position or other malpractice, whether it is attempted by persons or organisations within or external to the Council;
 - internal control systems exist to minimise the risk of fraud, corruption and money laundering occurring;
 - Codes of Conduct require all Members and employees demonstrate the highest standards of behaviour in the conduct of public business and a register of interests is maintained;
 - the Codes of Conduct are widely publicised;
 - managers are expected to deal swiftly and firmly with those who defraud or attempt to defraud the Authority or who are found to be corrupt;
 - the Council has Confidential Reporting (whistleblowing) procedures in place, which operate effectively;
 - to prevent large scale money laundering, the Council has a ceiling of £10,000 on any one transaction (legislation states 15,000 euros).
- 4.7.5. Cases of suspected fraud, misappropriation of money, materials or equipment, or any mismanagement of money or other assets, or any other financial irregularities, shall be reported immediately to the Director of Resources, who shall investigate and report to the appropriate Director of Service, the Monitoring Officer and the Chief Executive. The roles and responsibilities of Internal Audit and individuals are set down in the Council’s [Anti-Fraud, Bribery and Corruption Strategy \(including Anti-Money Laundering Policy\)](#).
- 4.7.6. Directors of Service shall be responsible for ensuring that relevant employees are aware of the requirements of the Council’s Anti-Money Laundering Policy. Cases of known or suspected money laundering or terrorist financing activities shall be reported immediately to the Council’s Money Laundering Reporting Officer (MLRO), currently the Director of Resources, who shall investigate as a matter of urgency. The procedure and reporting forms are detailed in the Anti-

Money Laundering Policy which is incorporated within the Anti-Fraud, Bribery & Corruption Strategy, available on the Council's [website](#).

4.7.7. The Director of Resources is responsible for:

- developing and maintaining an Anti-fraud, bribery and corruption policy, which includes laundering;
- ensuring that effective internal controls are in place to minimise the risk of fraud, corruption and financial irregularities
- ensuring that effective procedures are in place to identify both internal and external fraud;
- the investigation of reported cases of fraud, corruption, bribery, money laundering or other malpractice as a matter of urgency;
- where evidence of fraud etc. is found, reporting the outcome of investigations to the appropriate Director of Service, the Monitoring Officer and the Chief Executive and that all necessary steps are taken to prevent further loss and to secure records and documents against removal or alteration;
- providing advice, guidance and training on the policy to members and employees;
- determining whether the suspicions should be reported to the National Crime Agency.

4.7.8. All members and employees shall have due regard to the Council's [Anti-Fraud, Bribery and Corruption Strategy \(including Anti-Money Laundering Policy\)](#) and shall co-operate with investigations under the Policy and with regulatory authorities during any subsequent investigation.

4.7.9. All staff have a duty to report any suspicions to the Money Laundering Reporting Officer (Director of Resources).

4.7.10. The relevant Director must ensure the full cooperation of senior management in any investigation and instigate the authority's disciplinary procedures where the outcome of an audit investigation indicates improper behaviour.

4.8 Land, Property and Other Physical Assets (including vehicles, plant, equipment and stocks)

4.8.1. The Director of Regulatory Services (in conjunction with the Director of Resources and Director of Corporate & Customer Services) shall:

- make adequate arrangements to maintain an asset register of all assets with a value in excess of £10,000 and ensure that all assets are valued in

accordance with the Code of Practice on Local Authority Accounting in the United Kingdom, or such standards as may supersede it;

- issue guidelines for the disposal of assets.

4.8.2. The Chief Executive and Directors must ensure that records and assets are properly maintained and securely held. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

4.8.3. Directors shall be responsible for the safe custody of assets under their control, and the maintenance of records in accordance with advice issued from time to time by the Director of Resources. Directors are responsible for ensuring that all assets in their control are appropriately maintained and shall:

- make adequate arrangements to maintain a property database in a form agreed with the Director of Resources for all properties, plant and machinery and moveable assets;
- ensure the security of all buildings and other assets, including cash, under their control;
- maintain inventories in a form determined by the Director of Resources for items with a value of £500 or more;
- ensure that stocks of goods and materials are held at a level appropriate to the business needs of the Council;
- carry out a stock check at least once a year for items with a value of £500 or more and provide the Director of Resources with a stock certificate at the end of each financial year;
- annually write-off and dispose of obsolete stores and equipment in consultation with the Director of Resources;
- make arrangements with the Director of Resources to ensure that all items are appropriately insured against loss.

All Council assets (including tools and equipment) with a value of £500 or more should be clearly identified and marked as property of the Council.

Significant stores discrepancies shall be subject to Internal Audit scrutiny.

4.8.4. No Council asset should be subject to personal use by an employee without prior authorisation from their director.

4.8.5. The Corporate Leadership Team is responsible for all disposals of land and property and for identifying any revenue implications arising from the sale of assets. Service Directors may dispose of revenue assets through sale, donation or scrapping. They must assure themselves that the assets concerned are the property of the Council (rather than a leasing company) before disposing of them. Directors must ensure that value for money is obtained for every disposal and maintain adequate evidence (e.g. receipts, sealed bids) to support all asset disposals demonstrating value for money, the reasons for the disposal, and that the assets are obsolete or surplus to requirements. Directors should ensure that income from disposals is correctly accounted for and promptly banked.

- 4.8.6. All assets to be disposed of over the value of £30,000 must be cleared with the Corporate Leadership Team before they can be disposed of.
- 4.8.7. Directors must ensure that legal, environmental and other statutory issues are addressed when disposing of any assets and must ensure they take advice from the Director of Resources on the appropriate method of disposal.

4.9 Leasing

- 4.9.1. The Director of Resources shall be responsible for the evaluation and arrangement of all Capital financing facilities. This excludes the short-term hiring of equipment for periods of less than 12 months.
- 4.9.2. Directors must take appropriate advice from the Director of Resources and the Director of Corporate and Customer Services before entering into any lease agreement.

4.10 Treasury Management (Investments and borrowing)

- 4.10.1. This Council has adopted CIPFA's Code of Practice for Treasury Management in the Public Services. The Council has delegated responsibility for the implementation and monitoring of its Treasury Management Policies and Practices to the Director of Resources.
- 4.10.2. Accordingly, the Council shall adopt a Treasury Management Strategy Statement (TMSS) setting out the policies and objectives of its Treasury Management activities. The Director of Resources shall review the TMSS annually and present a report for its approval by Full Council. The TMSS shall be considered for approval at the same meeting as the Council's Revenue Budget and Capital Programme. The Director of Resources shall report at least twice a year (a mid-year report and an out-turn report) to the Governance and Resources Committee to monitor treasury management activities against the Strategy.
- 4.10.3. As further required by the CIPFA Code, the Director of Resources shall prepare and maintain Treasury Management Practice Statements (TMPs). The Governance and Resources Committee will be responsible for the scrutiny of TMPs.
- 4.10.4. All money in the hands of the Council shall be under the control of the officer designated for the purposes of Section 151 of the Local Government Act 1972 referred to in the Code as the "Chief Financial Officer", i.e. the Director of Resources.
- 4.10.5. All Council decisions on borrowing, investment or financing shall be delegated to the Director of Resources who shall be required to act in accordance with CIPFA's "Treasury Management in the Public Services: Code of Practice".
- 4.10.6. The Director of Resources shall prepare an Annual Report on Treasury Management for presentation to the Council by 30 September of the succeeding financial year. The report will cover the activities of the treasury management

operation and the exercise of delegated treasury management powers.

- 4.10.7. Should the Director of Resources wish to depart in any material respect from the main principles of the code, the reasons should be disclosed in the report to the Council.
- 4.10.8. All investments shall be made in the name of the Council or in the name of nominees approved by the Council. The Director of Resources shall be authorised to operate such investment accounts as he/she feels necessary, subject to compliance with the Council's Treasury Management Strategy Statement.
- 4.10.9. All Securities in the name of the Council or its nominees shall be held in the custody of the Director of Corporate and Customer Services.
- 4.10.10. All borrowings shall be in the name of the Council.
- 4.10.11. The Director of Resources shall arrange short-, medium- and long-term borrowing on the best available terms within the overall borrowing policy approved by the Council annually. The Director of Resources may appoint an external Cash Manager where appropriate.
- 4.10.12. No loans shall be made to third parties and no interests shall be acquired in companies, joint ventures or other enterprises without the approval of Council, following consultation with the Director of Resources.

4.11 Banking, Corporate Credit Cards and Imprest Accounts (including petty cash and other floats)

- 4.11.1. All arrangements with the Council's bankers shall be made by the Director of Resources, who will maintain and operate such bank accounts as they consider necessary. No bank account may be opened or closed except on the prior approval of the Director of Resources.
- 4.11.2. The Financial Services Manager is responsible for managing the banking contract and the day to day administration and reconciliation of accounts.
- 4.11.3. Employees must not open accounts in the name of the Council, Members or officers unless they are acting on the instructions of the Director of Resources. Opening an unauthorised bank account is a disciplinary offence.
- 4.11.4. Cheques will only be used for the Chairman's and Vice Chairman's Accounts. All cheques shall be ordered by the Director of Resources who shall make proper arrangements for their safe custody. Cheques drawn shall bear the signature of one of the authorised cheque signatories. Any amendments shall be approved by the signature of an authorised signatory.
- 4.11.5. All payments from the Council's main bank accounts shall be made by electronic methods e.g. Direct Debit, Bankers Automated Clearing System (BACS), Faster Payments or Clearing House Automated Payments System (CHAPS). All

payments shall be authorised by an officer approved by the Director of Resources.

- 4.11.6. The Director of Resources shall make arrangements for a corporate credit card, PayPal and other such accounts as he/she considers are appropriate. Each individual transaction of this type shall not exceed £2,500.
- 4.11.7. The Corporate Credit Card is available for use by officers nominated by the Director of Resources to purchase goods up to £2,500 or to address specific requirements such as the payment of court costs. Key controls shall be built into the system through card limits, merchant categories, defined suppliers, and other measures. The Director of Resources is responsible for issuing guidance on the use of the Corporate Credit Cards.
- 4.11.8. Officers using the Corporate Credit Card must seek an assurance from the relevant budget manager that there is sufficient budget available to cover the cost of the transaction.
- 4.11.9. Corporate Credit Card balances are settled through the bank on a monthly basis. Statements are provided to enable employees from the Financial Services Team to check transactions and coding.
- 4.11.10. Misuse of a corporate credit card would normally constitute gross misconduct and could result in dismissal. The Director of Corporate and Customer Services and the Director of Resources are responsible for ensuring the cards are operated in a responsible manner.
- 4.11.11. All lost or stolen cards must be reported immediately.
- 4.11.12. Imprest and petty cash accounts can facilitate very minor items of expenditure where it would not be cost effective to use a corporate credit card or purchase order. Imprest and petty cash accounts must not be used to reimburse employee expenses, which must be made through payroll.
- 4.11.13. The Director of Resources shall provide such imprest accounts as he/she considers appropriate for the purposes of defraying petty cash or other expenses. Such accounts may be held as petty cash advances or as bank accounts as the Director of Resources may decide and should be maintained on the imprest system. The overall limit of the imprest account and the upper limit of the allowable expense shall be determined by the Director of Resources.
- 4.11.14. No income received may be paid into an imprest account and the account holder shall not permit the account to become overdrawn.
- 4.11.15. Payments from the imprest account, or those using the corporate credit card or PayPal account, shall be supported by the original invoice, or such other documentation as specified by the Director of Resources, including VAT receipts and the voucher should be authorised to confirm that the expenditure is reasonable and there is sufficient budget provision to cover the expenditure.
- 4.11.16. Imprest holders must reconcile their accounts to the finance system on a monthly

basis or prior to seeking reimbursement. A certificate of value must be completed at 31st March each year and the records must be produced on demand.

- 4.11.17. Imprest accounts and the corporate credit card and PayPal account shall only be used for incurring properly authorised expenditure of the Council. They will not be used for personal expenditure, nor should any personal loans or advances be made from them.

4.12 Staffing

- 4.12.1. As Head of Paid Service the Chief Executive shall be responsible for ensuring the sufficiency of employee budgets and shall exercise adequate control over staffing costs including overtime, training and temporary staff. Directors will support the Chief Executive in this role by monitoring staffing in their respective departments and reporting significant issues to the Chief Executive.

- 4.12.2. The payment of salaries, wages, Members' allowances and allied payments shall be made only by the Chief Executive, or under arrangements approved by him/her and in accordance with Financial Procedures issued under these Regulations.

- 4.12.3. Claims for travelling and other expenses must be made on a monthly basis.

- 4.12.4. Accurate and effective systems must be in place and the following procedures and regulations must be followed:

- appointments shall be made in accordance with the approved Recruitment and Selection Procedures;
- appointments shall be in accordance with the approved establishment and grade for the post; any requests to amend the approved establishment must be approved by the Corporate Leadership Team;
- Salary payments shall only be made to bona fide employees;
- costs associated with early retirements, redundancy payments and other similar events must be made through payroll and met from within the employee budget of the service involved unless there exists a specific corporate provision for this purpose.

4.13 Use of Consultants and Agency Services

- 4.13.1. Directors must ensure that their staff understand the distinction between employment and a contract for consultancy or agency services. If a consultant or agency worker is brought in to cover a vacant post or carry out a role similar to that of a member of staff then it is likely that the Council will be required to treat them as employed for tax purposes and pay them via the payroll. In these circumstances the Council's recruitment policies should be applied.

- 4.13.2. Where a consultant or agency worker is required to carry out a project which has a clear start and end date and is described in a brief or specification, and where the consultant will be taking on the risk and providing their own premises,

equipment and insurance etc., then it is likely that the work will be governed by a contract and the consultant will be paid via the Accounts Payable system through the raising of an official order and goods receipt. In these circumstances the Council's contract standing order rules should be applied. The insurance requirements must be clear in the documentation supporting the contract and evidence that the policy is in place should be obtained from the consultant or agency worker.

- 4.13.3. Directors must ensure that where payments are to be made to consultants or agency workers other than through the Council's payroll system, that there is a clear justification for this and that there are no tax implications that may arise. Directors should give careful consideration to the employment status of individuals employed on a self-employed consultant or subcontract basis. HMRC applies a tight definition for employee status, and in cases of doubt, advice should be sought from the Financial Services Manager or Senior Accountant.

4.14 Trust funds and Funds held for Third Parties

- 4.14.1. Directors of Service must ensure that all trust funds are in the name of the Council. Trust funds should not be held in the name of individual officers. All officers acting as trustees by virtue of their official position shall deposit securities etc. relating to the trust with the Director of Resources / Director of Corporate and Customer Services unless the deed otherwise provides.
- 4.14.2. Directors of Service must arrange, where funds are held on behalf of third parties, for their secure administration, approved by the Director of Resources and maintain written records of all transactions.
- 4.14.3. Directors of Service must ensure that trust funds are operated within any relevant legislation and the specific requirements for each trust, and to contact the Director of Corporate and Customer Services as appropriate.

5 FINANCIAL SYSTEMS AND PROCEDURES

5.1 General Responsibilities

5.1.1. The Director of Resources is responsible for:

- issuing advice, guidance and procedures for officers and others acting on behalf of the Council in relation to its financial affairs;
- determining the financial management system, form of accounts and supporting financial records;
- establishing arrangements for the audit of the Council's financial affairs;
- approving any new financial systems and procedures to be introduced;
- approving any changes to existing financial systems and procedures, including the reconciliation of any financial information being fed into the core financial management system.

5.1.2. Directors are responsible for:

- ensuring that accounting records are properly maintained and are held securely;
- maintaining a complete audit trail for financial transactions;
- ensuring that there is sufficient separation of duties to provide adequate internal control and minimise the risk of fraud or other malpractice;
- maintaining documented and tested business continuity plans;
- documenting systems and procedures and ensuring staff are trained in their use;
- ensuring that systems and comply with the Data Protection Act;
- ensuring that employees are aware of and comply with Freedom of Information legislation.

5.2 Income

5.2.1. The Council collects substantial amounts of income (council tax, business rates, rents, service charges and fees and charges) and effective income collection systems are necessary to ensure that all income due is identified, collected, receipted and banked properly, and that VAT is correctly accounted for.

5.2.2. The responsibility for the collection of all income due to the Council lies with the Director of Resources. The Director of Resources is responsible for approving procedures, systems and documentation for collecting and banking income and writing off debts as part of the overall control framework of accountability and control.

5.2.3. Wherever possible and appropriate, income should be obtained in advance or at the point of supplying goods or services as this improves the authority's cash flow and also avoids the time and cost of administering debts.

- 5.2.4. Directors/Service Managers must have robust processes in place for dealing with income collection in their service area where required. There must be extra controls in service areas that collect cash or cheques. Directors/Service Managers must ensure that:
- All income due is identified and that requests to raise a Sundry Debtor Invoice are raised in a timely manner (within 14 days of the goods / service being provided);
 - They follow the systems and procedures laid out by the Director of Resources;
 - Income must be paid fully and promptly into the Council's bank account and full details recorded on the paying in slip;
 - ensure that where income cannot be banked immediately it is stored securely and is insured against loss or theft;
 - Officers are suitably trained;
 - Official receipts are always given;
 - Proper records are kept;
 - Hold securely receipts, tickets and other records of income;
 - VAT is properly charged
 - Provide the Director of Resources with full details of debts to be considered for write off All requests for write off, giving the reasons for the request and supporting documentation..
- 5.2.5. Unless the value is £10 or less (and there is no legal requirement to invoice) or the Director of Resources has authorised any other exception, where a Sundry Debtor Invoice is required a Sales Orders must be raised through the Agresso Financial Management System. Sales orders must indicate clearly the nature and quantity of the work or services provided by the Council, the income due and any relevant contract or payment terms (if different from the Council's standard terms and conditions).
- 5.2.6. Directors/Service Managers must have effective systems for monitoring income that is due to their service area. The Director of Resources must be advised of any cases of financial impropriety.
- 5.2.7. No new proposal to generate or charge income shall be introduced without approval of the Chief Executive, after consultation with the Director of Resources on the financial and taxation implications.
- 5.2.8. Directors shall undertake an annual review of fees and charges in consultation with the Director of Resources and the Director of Resources shall be present a joint report to the Governance and Resources committee (usually in January for the coming financial year) for approval.
- 5.2.9. Personal cheques shall not be cashed.
- 5.2.10. Any transfer of money from one member of staff to another shall be supported by an official receipt or, where appropriate, by the signature of the receiving officer.
- 5.2.11. The Director of Resources shall take all reasonable steps for the recovery of

debts including court proceedings, when justified, that may be instigated in consultation with the Legal Services Manager who shall advise and assist with legal requirements.

- 5.2.12. All requests for write off must be accompanied by a brief report giving the reasons for the request and supporting documentation. The Director of Resources shall have the authority to write off individual debts of less than £10,000, after due consideration of the circumstances, unless the debt is due to officer error, in which case there shall be no limit. The write off of debts of £10,000 or more will require the approval of the Governance and Resources Committee.
- 5.2.13. Each Director of Service shall, within such a period as the Director of Resources may specify, supply such information after 31 March in each year as shall enable income for the previous financial year to be properly accounted for and resulting accounts to be raised promptly.

5.3 Ordering and paying for work, goods and services

- 5.3.1. The authority's procedures are designed to ensure that services obtain value for money from their purchasing arrangements. These procedures should be read in conjunction with the Authority's procurement strategy and Contract Standing Orders.
- 5.3.2. Every employee and member of the authority must declare to the Director of Corporate and Customer Services and (for employees) their own Service Director any links or personal interests that they may have with suppliers and/or contractors if they are engaged in contractual or purchasing decisions on behalf of the Authority, in accordance with appropriate codes of conduct.
- 5.3.3. Expenditure on work, goods and services must comply with the Council's Contract Standing Orders, which set out the procurement framework and the thresholds.
- 5.3.4. Unless agreed by the Director of Resources, Purchase Orders must be issued for all goods and services prior to the goods, services or supplies being commissioned.. Exceptions to this rule are: (i) Utility bills (ii) Payroll and staff expenses (iii) Work which is part of a formal contract (excluding term or schedule of rates contracts) (iv) Subscriptions (v) Grants (vi) Refunds (vii) Compensation payments (viii) Periodic payments (such as rent or rates) (ix) Petty cash purchases and purchase card purchases (x) Orders with a value of £10 or less.
- 5.3.5. Purchase card purchases should only be used for the purchase of goods. All other purchases must have a specific contract in place that has been agreed by the Council's legal team; provided that such a contract is in place, a purchase order may be issued to a supplier.
- 5.3.6. Unless the Director of Resources has authorised an exception, Purchase Orders may only be raised through the Agresso Financial Management System. Official orders must indicate clearly the nature and quantity of the work or services

required, the financial commitment and any relevant contract or payment terms (if different from the Council's standard [Purchase Order Terms and Conditions](#)).

- 5.3.7. Orders for goods and services must only be issued where the Officer approving the order is satisfied that the goods or services are appropriate and needed and that the expenditure is provided for within the approved budget or is covered by an appropriately approved virement or a supplementary estimate. Commitments and accruals will be automatically recorded onto the Council's Agresso Financial System through the approval of the purchase order. This ensures that the finance system gives a true picture of the amount of expenditure incurred or committed and the balance remaining against each budget head.
- 5.3.8. Directors and / or their delegated officers may place purchase orders for expenditure up to the amounts provided in the approved Budget, provided that such orders conform to Contract Standing Orders, Financial Procedures and these Regulations.
- 5.3.9. Responsibility for orders lies with the appropriate Director and / or their delegated officer. Acceptance of any order by a supplier forms a legally binding contract. Official Orders will show amounts in £ sterling. Foreign currency transactions are not allowed without the prior written consent of the Director of Resources..
- 5.3.10. The Director and / or their delegated officer issuing an Official Order is responsible for certifying the receipt of goods and services or any variation in price on the Agresso Financial System, thereby authorising the related invoice(s) for payment, and similarly for any other payment vouchers or invoices arising from his/her service area. Directors may nominate staff to approve Official Orders and certify invoices or payment vouchers on their behalf.
- 5.3.11. Directors are responsible for:
- ensuring best value from purchases by taking appropriate steps to obtain competitive prices for goods and services of the appropriate quality and by utilising corporate purchasing arrangements where they exist;
 - establishing and maintaining sound and efficient systems for the ordering, receipt, checking and payment of goods and services in a form approved by the Director of Resources, which incorporate, as far as possible, separation of duties between the ordering, receiving and payment processes;
 - ensuring that Officers who raise Purchase Orders and process / authorise invoices for payment have been properly trained;
 - maintaining an up-to date list of those officers authorised to authorise official orders and/or authorise payments and supplying a copy of the list to the Director of Resources. The list is to clearly show the financial limits of authority which apply to each officer;
 - ensuring that official purchase orders are used for all goods and services except where the prior written approval of the Director of Resources has been obtained;
 - ensuring that payment is not made unless a proper VAT invoice has been received, checked, coded and certified for payment.

- 5.3.12. No invoice shall be passed for payment until the relevant Director, or his/her authorised nominee, is satisfied it is in accordance with the Council's Financial Regulations and Financial Procedures.
- 5.3.13. Each Director shall, as soon as possible after 31st March and not later than the date specified by the Director of Resources in each year, notify the Director of Resources of all outstanding expenditure relating to the previous financial year.
- 5.3.14. The Director of Resources has a duty under law to make payments, whether or not provision has been made in the Budget, in the following cases:
- (a) Payments specifically required by statute;
 - (b) Payments under a Court Order;
 - (c) Payments under a contract properly made by a Director;
 - (d) Where an Official Order has been issued.
- 5.3.15. The Director of Resources shall make payments from the Council's official funds, providing that the relevant authorisations have been made on the Agresso Financial System (or by any other procedure authorised by the Director of Resources) by Directors or their delegated officers and that the expenditure has been duly incurred in accordance with these Financial Regulations.
- 5.3.16. Official Orders shall not be raised for any personal or private purchases, nor shall personal or private use be made of Council contracts or preferential terms enjoyed by the Council.
- 5.3.17. The Director of Resources shall publish data on the Council's website to show:
- the percentage of undisputed invoices paid within 30 days and the amount of interest paid to suppliers due to late payment;
 - details of spending over £250.

5.4 Payments to employees and members

- 5.4.1. Staff costs are the largest item of expenditure for most services. It is therefore important that payments are accurate, timely, and made only where they are due for services to the Authority, and that payments accord with an individual's conditions of employment. It is also important that all payments are accurately and completely recorded and accounted for and that Members' allowances are authorised in accordance with the scheme adopted by the Full Council.
- 5.4.2. The Human Resources & Payroll Manager is responsible for all payments of salaries and wages and expenses to staff, including payments for overtime, honoraria etc. and submission of related tax returns to HM Revenue and Customs by their due date for the above.

5.4.3. The Human Resources & Payroll Manager shall:

- arrange and control secure and reliable payment of salaries, wages, compensation, other emoluments, expenses and allowances in accordance with procedures produced in agreement with the Director of Resources;
- record and make arrangements for the accurate and timely payment of tax, superannuation and other deductions to the relevant bodies;
- commission external taxation advice where appropriate and discuss the advice with the Director of Resources prior to implementing any procedural changes;
- provide accounting records of all transactions in the form determined by the Director of Resources.

5.4.4. Directors are responsible for:

- Ensuring that employee appointments are made in accordance with the regulations of the Council and approved establishments, grades and scales of pay and that budget provision is available;
- notifying the HR and payroll team as soon as practicable of all appointments, terminations or variations which may affect the pay of an employee, in the form determined by the HR and Payroll Manager;
- informing the HR and Payroll Manager of those managers authorised to sign records and returns relating to payments to employees and councillors via the electronic system or other procedure approved by the HR and Payroll Manager;
- ensuring that all payments to employees and councillors, including all casual and temporary staff, are processed only through the payroll system.

5.5 Taxation

5.5.1. The Director of Resources is responsible for providing information to HMRC in relation to the Construction Industry Tax Deduction Scheme as required and advising Directors of their responsibilities under the scheme.

5.5.2. Directors are responsible for ensuring that the appropriate controls and procedures are operated within the service area in relation to taxation issues.

5.5.3. The Director of Resources is responsible for completing the monthly return of VAT (inputs and outputs) to HMRC. The Director of Resources will monitor the Council's partial exemption limit. The Director of Resources must be consulted by Directors on whether to opt to tax on any major project or land.

5.5.4. The Director of Resources should be consulted on the VAT and taxation implications of any new service development. The Director of Resources shall commission external VAT and taxation advice where appropriate.

5.6 Trading accounts and business units

- 5.6.1. In some areas the Council may operate a trading account. This means that the costs and income from charges relating to the service are ring-fenced in the accounts. Any surplus or deficit is added to a reserve each year. The Director of Resources is responsible for ensuring that trading accounts are treated properly in the Council's accounts.
- 5.6.2. Directors are responsible for ensuring that, in line with the Local Government Act 2003, charges are set to recover costs without building up significant surpluses, and that any changes in take up of the service which could result in a deficit are reported at an early stage. All charges must be reviewed on a regular basis and annually as a minimum as part of integrated service and financial planning.
- 5.6.3. The Director of Resources shall determine in liaison with other Directors the need for the establishment and operation of trading accounts and business units.

5.7 Retention of documents and records

- 5.7.1. Directors shall be responsible for ensuring that records are carefully and systematically retained for inspection by the Monitoring Officer, Director of Resources, or internal or external audit and agencies such as HM Revenue and Customs.
- 5.7.2. The minimum periods for the retention of financial records are set out in the Council's Document Retention Policy. The key areas are set out below:
- mortgages, bonds, stocks and other holdings, insurance, contracts, pension information and transfer values should be held indefinitely;
 - documents relating to EU grant schemes should be retained for 30 years;
 - other contract documents including the final account where the contract is under seal should be retained for 12 years;
 - the majority of accounting records should be retained for a period of six years following audit.

In the event of doubt, advice should be sought from the Director of Resources.

- 5.7.3. Following the period of retention, records should be disposed of in accordance with the Document Retention Policy.

6 EXTERNAL ARRANGEMENTS

6.1 Partnerships

6.1.1. The Full Council is responsible for approving delegations, including frameworks for partnerships for service provision.

6.1.2. The Director of Resources must ensure that the accounting arrangements to be adopted relating to companies, partnerships and joint ventures are proper. The activities are likely to be consolidated in the Council's Statement of Accounts. Companies, partnerships and joint ventures must also consider the overall corporate governance arrangements and legal issues when arranging contracts with external bodies. They must ensure that the risks have been fully appraised before agreements are entered into with external bodies.

6.1.3. The Chief Executive and Directors must ensure that the full implications of any service provision partnership are explored and that Finance and Legal officers are consulted at an early stage. The following issues should be addressed to the satisfaction of the Corporate Leadership Team:

- Is a partnership the best vehicle for achieving the desired outcome?
- What are the aims and objectives of the partnership and are they consistent with the Council's priorities?
- How will the partnership be funded and who is responsible for the financial management, accounts and audit arrangements? There must be a right of access for the Council's auditors at all times to all documents, records, premises and employees.
- What is the expected duration of the partnership? Is there an exit strategy?
- What is the Council's commitment in terms of finance and other resources?
- What are the resource implications in terms of staff, premises etc.?
- What are the risks and how will they be managed and monitored? The relevant service director must prepare a full risk assessment for each proposed partnership;
- What is the legal status of the partnership and how will it be governed?
- Are the roles and responsibilities of each partner clear?
- Are there any personal responsibilities for individual officers and how does this fit with the Council's scheme of delegation, contract standing orders and these financial regulations?
- How will the performance of the partnership be monitored and how will success be measured?
- Are there any taxation issues?
- How will goods and services required by the partnership be procured?
- Is there a robust business case?

6.1.4. The relevant Director is responsible for seeking appropriate approvals before any commitment or agreement is entered into.

6.1.5. A partnership arrangement must not be used as a means of avoiding the

Council's procurement rules.

6.2 External funding

6.2.1. The Council bids for funds from government departments and other external agencies. On occasion the Council may be granted external funding without the need for bidding. Each funding regime is subject to its own rules and regulations and the process for submitting applications and drawing down funding varies.

6.2.2. It is important to ensure that key conditions of funding and any statutory requirements are complied with and that the responsibilities of the Council are clearly understood. Directors should:

- ensure that all applications for funding are consistent with the Council's priorities and approve them in principle before detailed work commences;
- ensure that an officer is nominated as project manager;
- consult the Financial Services Team when preparing grant bids to ensure that full costs are identified including any match funding required, and ongoing commitments are taken into account.
- ensure that the application is signed off by the Director of Resources or an appropriate officer in the Service and complete any pre-application checklist issued by the Director of Resources;
- where applications are successful, ensure that the expenditure and income budgets are amended as necessary;
- ensure that the rules and regulations for the particular funding stream are complied with at application stage and throughout the life of the project;
- ensure that all requirements relating to the delivery of outputs and spend are met in line with the approved bid or project plan;
- ensure that all funding notified by external bodies is claimed, received and properly recorded in the authority's accounts and complete any pre-claim checklist issued by the Director of Resources;
- check the audit requirements and notify the Director of Resources of any claims that must be audited by the Council's external auditor.

6.3 Work for third parties

6.3.1. Directors must ensure that work for third parties is covered by a suitable contract or agreement so that the responsibilities of each party are clear.

6.3.2. Financial and legal advice should be sought at an early stage. This will ensure that the Council only carries out work that is within its legal powers, and that financial issues such as insurance and taxation are properly considered.

6.3.3. Directors must ensure that:

- the Council is not put at unnecessary risk from bad debts;
- contracts are not subsidised by the Council.

- 6.3.4. Directors must provide appropriate information to the Director of Resources to enable a note to be entered into the Statement of Accounts where necessary.

6.4 Work by third parties

- 6.4.1. Directors must ensure that work carried out by third parties for the Council is approved and covered by a suitable contract or agreement so that the responsibilities of each party are clear. Financial, legal and procurement advice should be sought at an early stage. This will ensure that the Authority only carries out work that is within the relevant legal powers, and that financial issues such as responsibility for managing budgets, insurance and taxation are properly considered.

7 COMPLIANCE WITH THE LOCAL GOVERNMENT TRANSPARENCY CODE

7.1 Publication of Data

- 7.1.1. Directors shall collate and publish all data which the Code requires to be published in relation to services for which they are responsible within the timescales set out in the version of the Code in force at the time.
- 7.1.2. Where, in order to comply with 7.1.1 above, a Director requires data from another Director, this shall be provided in a timely manner so as to enable the responsible Director to meet the deadlines for publication set out in the Code.
- 7.1.3. The Director of Resources may by agreement publish particular data on behalf of Directors. In such cases, Directors will ensure that they supply all data in a timely manner so as to enable the Director of Resources to meet the deadlines for publication set out in the Code.
- 7.1.4. The Code requires data to be published on the Council's website. Accordingly the Director of Corporate and Customer Services will ensure that all data supplied to them for publication will be placed on the website in a timely manner in order to comply with the timescales set out in the Code.
- 7.1.5. Regard will be had to Guidance published from time to time by the Local Government Association in respect of data to be published and the format of publication.



**OPEN REPORT
COUNCIL**

Agenda Item 14

Council – 28 September 2023

REVENUE BUDGET MONITORING QUARTER 1 2023/24

Report of the Director of Resources

Report Author and Contact Details

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Wards Affected

District-wide

Report Summary

This report provides an update on the Council's revenue budget for 2023/24 and seeks approval for virements and the revised budget for 2023/24.

Recommendations

1. That the updated revised revenue budget for 2023/24, including the virements as identified in paragraphs 1.2 to 1.4 of the report, be approved.
2. That the forecast underspending of £740,740 for 2023/24 be received and agreed.
3. That any underspend at out-turn for 2023/24 be transferred to reserves as detailed in paragraph 1.11 of the report.

List of Appendices

Appendix 1 Approved Budget Changes since Revenue Out-turn Report (27th July 2023)

Appendix 2 Reserves Requests for approval at quarter 1

Appendix 3 Updated Revised Budget 2023/24

Appendix 4 Summary of Reserves – Forecasts for 2023/24 and 2024/25

Background Papers

None

Consideration of report by Council or other committee

N/A

Council Approval Required

Yes

Exempt from Press or Public

No

Revenue Budget Monitoring Quarter 1 2023/24

1. Background

- 1.1 On 2nd March 2023 Council set a net revenue budget of £13,667,041 for 2023/24.
- 1.2 Since the budget was formally approved in March, there has been a number of minor virements approved under delegated authority and larger virements approved by full Council, which has impacted directorate totals. These additional approved budget changes are summarised in Appendix 1 and have the overall effect of increasing the budget by £196,970.
- 1.3 Additional requests for the use of earmarked reserves are summarised in Appendix 2 these total £366,798. The use of these reserves is for on-going approved Council projects where timing has been uncertain, and funds have previously been set aside within reserves with the exception of the request detailed in section 1.4 below.
- 1.4 An additional £30,000 use of the local plan reserve is requested to employ consultancy services to deliver a design policy review to ensure that as part of the review of the Derbyshire Dales Local Plan we satisfy the Government requirements to ensure the plan incorporates an appropriate design code.
- 1.5 The forecast out-turn position at Quarter 1 for the Council is an underspend of £740,740. This is based on early estimates at 30th June 2023; updated forecasts will be reported throughout the financial year. Appendix 3 details the current forecast position and revised budget. A breakdown of the key variances can be found in the table below:

	£ 000's
Forecast overachievement of investment income	(639)
Increase in forecast tenants' rents	(42)
Overachievement of garden waste income	(70)
Underspend on elections budget	(68)
Anticipated reduction in planning application fees	50
Forecast overspend on staffing budgets*	16
Other non-material variances	12
Total Quarter 1 Forecast underspend	(741)

*excludes (£15k) underspend on elections staffing to be transferred to elections reserve.

- 1.6 When the 2023/24 budget was set in March 2023 the Bank of England base rate was 4%; by 30 June 2023 this had risen to 5%. The Council has already exceeded its investment income budget at 30 June 2023 with income of £347k

and it is anticipated that a further £529k can be achieved over the remainder of the financial year, giving a forecast budget surplus of £639k. This forecast is based on a number of assumptions and will be refined throughout the financial year, it currently assumes an average interest rate of 5% will be achieved on investments for the remainder of the financial year.

- 1.7 It is anticipated that the Council will make a net surplus on tenants' rental income of £42k over budget in 2023/24. This is due to an increase in Housing stock and better than anticipated occupation of properties.
- 1.8 During the year residents have continued to enter into subscriptions for garden waste collections. This has resulted in £70k additional income in excess of the current budget.
- 1.9 The elections budget is forecast to underspend by £68k due to a £15k underspend on elections staffing, £16k additional income above budget from town and parish councils, £31k underspend on stationery, printing and elections equipment and other minor underspends. It is proposed to transfer this amount to the elections reserve at year end to support the costs of future years' elections.
- 1.10 A pressure of £50k is anticipated on planning application fee income due to the increase in interest rates and the likely impact that may have on demand for the service.
- 1.11 Staffing budgets are currently forecast to overspend by £16k (this excludes the £15k underspend on elections detailed in paragraph 1.9). A breakdown of the current forecast out-turn for staffing budgets by directorate is included in the table below:

	Original Budget	Revised Budget	Forecast Out-turn	Variance
Chief Executive	332,777	332,777	332,920	143
Community and Environmental Services	3,144,339	3,159,392	3,083,732	(75,660)
Corporate Services	1,746,129	1,746,129	1,738,046	(8,083)
Housing	721,311	757,550	758,801	1,251
Regeneration and Policy	745,846	745,846	745,846	0
Regulatory Services	1,650,811	1,650,811	1,655,220	4,409
Resources	794,745	794,745	793,905	(840)
Provision for turnover	(95,000)	(95,000)	0	95,000
Total	9,040,958	9,092,250	9,108,470	16,220

Table includes temporary agency staff and recruitment advertising.

- 1.11 It is proposed that the underspend on elections budgets detailed in paragraph 1.10 is transferred to the elections reserve at year end and any further underspends (currently forecast to be £673,005) is transferred to the General Reserve to enable the use of this funding to be reviewed as part of the update of the Medium-Term Financial Strategy, due later this financial year. Subject to the approval of these proposed transfers, the revised reserves position is shown in Appendix 4.

2. Options considered and recommended proposal.

2.1 The committee is requested to:

- receive and agree the quarter 1 forecast underspend of £740,740 as set out in section 1.5 to 1.11 of the report and detailed in Appendix 3 and the changes to the budget already approved detailed in Appendix 1;
- approve use of reserves requests set out in Appendix 2 and receive and agree the revised reserves position in Appendix 4;

3. Consultation

3.1 None.

4. Timetable for Implementation

4.1 If approved, the budget will be updated shortly after notification of Council approval and officers will have the authority to incur expenditure within revenue budgets.

5. Policy Implications

6.1 The Council's financial position is considered in determining all the priorities and allocating resources in the Corporate Plan.

6. Financial and Resource Implications

6.1 The forecast outturn on the revenue account for 2023/24 is currently a surplus of £740,740 against revised estimates at quarter 1. The position on the revenue account will continue to be monitored throughout the financial year and reported to Council quarterly. The report explains how these underspends have occurred and any recurring items will be considered when preparing the draft budget for 2024/25, as well as in the updated Medium Term Financial Plan.

6.2 The financial risk arising from the report's recommendations is assessed as low.

7. Legal Advice and Implications

7.1 This report provides an update on the Council's revenue budget for 2023/24 and seeks approval for virements and the revised budget for 2023/24.

7.2 The Council has a legal duty to set a balanced budget and has a general duty to act in the public interest in managing the custody of public funds.

7.3 The budget and forecasts have been prepared by qualified personnel using accepted principles to ensure proper accountability.

7.4 There are 3 recommended decisions contained within this report. The legal risk for taking the decisions as recommended has been assessed as low.

8. Equalities Implications

8.1 There are no direct equalities implications for this report.

9. Climate Change Implications

9.1 There are no direct climate change implications arising from the recommendations of this report.

10. Risk Management

10.1 Financial and legal risks are explained above. The key risks result from the need to make savings or raise additional revenue income in the medium term. "Financial Resilience" has been identified on the Council's Strategic Risk Register and has been assessed as high risk, pending the delivery of the required savings and the outcome of the Local Government Finance Settlement for 2024/25 and beyond. The transfer of most of the forecast surplus for 2023/24 (currently forecast to be £673,005) into the General Reserve will help to mitigate this risk, though its use would not be sustainable. The consequences of failing to identify the required savings are shown as:

- Lack of resources available to deliver the core Council activities and priorities;
- Controls not performed or overlooked due to time and resource pressures;
- Cash flows are not available to maintain standards and quality of service provision;
- Increase in claims made against the Council;
- Initiatives, development programmes etc. (e.g. around capital enhancements, car park maintenance) may not be performed resulting in members of the public being hurt or public property damaged.

Report Authorisation

Approvals obtained from Statutory Officers:-

	Named Officer	Date
Chief Executive	Paul Wilson	18/09/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	20/09/2023
Monitoring Officer (or Legal Services Manager)	Kerry France	20/09/2023

Appendix 1 – Approved Budget Changes

2023/24 approved use of reserves:

15,053	use of general reserve approved by Council 16 March 2023 for clean and green review
8,376	approved use of committed expenditure reserve - approved budget report 2nd March 2023
173,540	use of 22/23 carry forwards transferred to the committed expenditure reserve approved in provisional out-turn report July 27th 2023

196,970

2024/25 and beyond approved use of reserves:

55,500	use of 22/23 carry forwards transferred to the committed expenditure reserve approved in provisional out-turn report July 27th 2023
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Supplementary budgets approved and actioned in 2023/24 to 30/06/23:

182,459	Increase Housing budgets for additional expenditure funded by the Housing Support Fund round 4 grant.
(182,459)	Additional income budget for Housing Support Fund round 4 grant received.
5,000	Increase Regulatory Services budgets for additional administration expenditure funded by HUG2 Mobilisation Grant.
(5,000)	Additional income budget for HUG2 Mobilisation grant received.
26,807	Increase in budget for biodiversity expenditure subject to approval from biodiversity sub committee
(26,807)	Additional unbudgeted biodiversity grant received in 2023/24 subject to approval from biodiversity sub committee

0

APPENDIX 2 – RESERVES REQUESTS FOR APPROVAL AT QUARTER 1

Reserves Requests requiring approval:

107,727	use of revenue grants unapplied - UK Shared Prosperity Fund
50,000	use of general fund reserve to fund local plan work
20,087	use of revenue grants unapplied - Homes for Ukraine funding
127,000	use of revenue grants unapplied - Homelessness Reduction Act
11,984	use of revenue grants unapplied - Biodiversity (subject to approval of biodiversity sub-committee)
20,000	use of general fund reserve to fund biodiversity work (subject to approval of biodiversity sub-committee)
30,000	use of local plan reserve to fund a design policy review for the Derbyshire Dales Local Plan

366,798

APPENDIX 3 – UPDATED REVISED BUDGET

	Forecast Out-turn 2023/24	Original Budget 2023/24*	Proposed Revised Budget 2023/24**	Variance from Original Budget 2023/24	Variance from Revised Budget 2023/24
Chief Executive	385,119	386,997	386,997	(1,878)	(1,878)
Community and Environmental Services	4,977,290	5,054,803	5,126,913	(77,513)	(149,623)
Corporate Services	3,051,350	3,127,730	3,127,730	(76,380)	(76,380)
Housing	675,322	554,032	701,119	121,290	(25,797)
Regeneration and Policy	1,049,037	766,766	1,040,224	282,271	8,813
Regulatory Services	1,655,995	1,598,209	1,598,209	57,786	57,786
Resources	2,236,132	2,081,137	2,150,862	154,995	85,271
Net cost of Services	14,030,245	13,569,674	14,132,053	460,571	(101,808)
Non-Service Items:					
Interest on Balances	(875,932)	(237,000)	(237,000)	(638,932)	(638,932)
Borrowing Interest Paid	225,150	225,150	225,150	0	0
Statutory Debt Repayment	100,849	100,849	100,849	0	0
Loan Premium Due	110,924	110,924	110,924	0	0
Income from Investment Properties	(102,556)	(102,556)	(102,556)	0	0
Net Revenue Expenditure	13,488,680	13,667,041	14,229,420	(178,361)	(740,740)
Appropriations to / from Reserves	(2,027,305)	(1,464,926)	(2,027,305)	(562,379)	(0)
Funding Requirement	11,461,375	12,202,115	12,202,115	(740,740)	(740,740)
Funded by:					
External Funding					
Retained Business Rates including S31 Grant, Payments to/from Pool	(3,977,147)	(3,977,147)	(3,977,147)	0	0
Business Rate Collection Fund (Surplus)/Deficit	201,550	201,550	201,550	0	0
CT Collection Fund (Surplus)/Deficit	100,322	100,322	100,322	0	0
Revenue Support Grant	(64,574)	(64,574)	(64,574)	0	0
Rural Services Delivery Grant	(471,000)	(471,000)	(471,000)	0	0
3% Funding Guarantee Grant	(626,887)	(626,887)	(626,887)	0	0
New Homes Bonus	(241,183)	(241,183)	(241,183)	0	0
Services Grant	(67,748)	(67,748)	(67,748)	0	0
Other Government Grants	0	0	0	0	0
Total External Funding	(5,146,667)	(5,146,667)	(5,146,667)	0	0
District Council Tax Requirement	(7,055,448)	(7,055,448)	(7,055,448)	0	0
Total Funding	(12,202,115)	(12,202,115)	(12,202,115)	0	0
Quarter 1 Forecast Surplus (reserves tfr at year-end)	740,740				
Total	(0)	0	0	(740,740)	(740,740)

*ICT and Data Protection have moved from Resources to Corporate Services since the budget was set in March 2023

**Includes proposed transfers to reserves requested in Appendix 2

APPENDIX 4 – SUMMARY OF RESERVES – FORECASTS FOR 2023/24 AND 2024/25

Revenue Funding	Balance at 31st March 2023	Contribution in 2023/24	Budgeted transfers (to)/from in 2023/24 Revenue	Requested transfers (to)/from reserves	Use in 2023/24 Capital	Forecast Balance at 31st March 2024	Budgeted Contribution in 2024/25	Approved transfers (to)/from in 2024/25 Revenue	Anticipated Use in 2024/25 Revenue	Estimated (Use)/contribution in 2024/25 Capital	Estimated Balance at 31st March 2025
	£	£	£		£	£	£	£	£	£	£
Revenue Balances											
General Fund Working Balance	(1,000,014)	0	0	0	0	(1,000,014)	0	0	0	0	(1,000,014)
General Reserve	(3,777,386)	0	0	(587,952)	0	(4,365,338)	0	0	0	0	(4,365,338)
	(4,777,401)	0	0	(587,952)	0	(5,365,353)	0	0		0	(5,365,353)
Capital Balances											
Capital Receipts	(1,977,814)	(160,000)	0	0	1,150,631	(987,183)	(110,000)	0	0	725,000	(372,183)
Capital Grants Unapplied	(1,900,813)	(11,090,309)	0	0	12,353,191	(637,931)	(13,335,357)	0	0	13,375,357	(597,931)
	(3,878,628)	(11,250,309)	0	0	13,503,822	(1,625,115)	(13,445,357)	0	0	14,100,357	(970,115)
Earmarked Reserves											
Business Rates Fluctuations Reserve	(1,675,496)	0	0	0	0	(1,675,496)	0	0	0	0	(1,675,496)
Capital Programme reserve	(956,984)	0	0	0	925,409	(31,575)	0	0	0	0	(31,575)
Carsington Improvements	(33,452)	0	0	0	0	(33,452)	0	0	0	0	(33,452)
Committed Expenditure Reserve	(538,005)	0	104,049	181,917	0	(252,039)	0	0	33,048	0	(218,991)
Corporate Plan Priority Reserve	(201,471)	0	0	0	201,471	0	0	0	0	0	0
Customer Innovation Project	(76,166)	0	76,166	0	0	(0)	0	0	0	0	(0)
Economic Development Reserve	(140,769)	0	54,931	0	48,000	(37,838)	0	0	0	0	(37,838)
Elections Reserve	(188,056)	0	167,757	(67,735)	0	(88,035)	0	(30,000)	0	0	(118,035)
Funding Uncertainties Reserve	(508,406)	0	0	0	0	(508,406)	0	0	0	0	(508,406)
Information Technology Reserve	(282,166)	0	0	0	191,852	(90,314)	0	0	0	0	(90,314)
Insurances Reserve	(464,473)	0	0	0	25,000	(439,473)	0	0	0	0	(439,473)
Investment Fund / Invest to Save Reserve	(562,510)	0	0	0	562,510	0	0	0	0	0	0
Job Evaluation	(150,000)	0	0	0	0	(150,000)	0	0	0	0	(150,000)
Local Plan Reserve	(113,879)	0	50,000	30,000	0	(33,879)	0	(30,000)	0	0	(63,879)
Member / Officer Indemnity	(25,000)	0	0	0	0	(25,000)	0	0	0	0	(25,000)
Major Repairs Reserve	(12,660)	0	(16,955)	0	0	(29,615)	0	(26,517)	0	0	(56,132)
Revenue Grants Unapplied	(9,305,465)	(83,197)	1,077,590	266,798	5,773,352	(2,270,922)	0	167,334	0	260,000	(1,843,588)
Vehicle Renewals reserve	(549,302)	0	(50,000)	0	495,133	(104,169)	0	(300,000)	0	386,000	(18,169)
Waste Fluctuations Reserve	(912,116)	0	0	0	0	(912,116)	0	525,188	0	0	(386,928)
Ashbourne Reborn Reserve	(175,000)	0	0	0	0	(175,000)	0	0	0	0	(175,000)
	(16,871,376)	(83,197)	1,463,538	410,980	8,222,726	(6,857,329)	0	306,005	33,048	646,000	(5,872,276)
TOTAL	(25,527,405)	(11,333,506)	1,463,538	(176,972)	21,726,548	(13,847,796)	(13,445,357)	306,005	33,048	14,746,357	(12,207,743)