

## **COUNCIL**

### **MINUTES OF MEETING HELD ON MONDAY, 17 FEBRUARY 2020**

#### **Present:**

Councillor Pat Antcliff (Chair) (in the Chair)

Councillor William Armitage	Councillor Nigel Barker
Councillor Jayne Barry	Councillor Joseph Birkin
Councillor Andrew Cooper	Councillor Suzy Cornwell
Councillor Charlotte Cupit	Councillor Alex Dale
Councillor Lilian Deighton	Councillor Peter Elliott
Councillor John Funnell	Councillor Roger Hall
Councillor David Hancock	Councillor Lee Hartshorne
Councillor Anthony Hutchinson	Councillor Maggie Jones
Councillor Pat Kerry	Councillor Barry Lewis
Councillor Heather Liggett	Councillor Jeff Lilley
Councillor Gerry Morley	Councillor Paul Parkin
Councillor Stephen Pickering	Councillor Alan Powell
Councillor Tracy Reader	Councillor Oscar Gomez Reaney
Councillor Carolyn Renwick	Councillor Michael Roe
Councillor Kathy Rouse	Councillor Diana Ruff
Councillor Ross Shipman	Councillor Martin E Thacker MBE JP
Councillor Pam Windley	Councillor Brian Wright
Councillor Philip Wright	

#### **Also Present:**

K Hanson	Director of Environment and Enforcement
L Hickin	Director of Corporate Resources and Head of Paid Service
S Sternberg	Joint Head Of Service - Corporate Governance & Monitoring Officer
J Dethick	Head of Finance and Revenues
N Calver	Governance Manager

#### **526 Apologies for Absence**

The Chair noted that a revised version of the Medium Term Financial Plan (Item 8) had been circulated to Members.

Apologies for absence had been received from Councillors K Bone, P Bone, M Emmens, A Foster, M Foster, B Hill, A Holmes, C Huckerby, C Hunt, J Kenyon, M Potts, J Ridgway, L Stone, K Tait, R Welton and N Whitehead.

#### **527 Declarations of Interest**

Members were requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

Councillors C Cubit, A Dale and A Powell declared a disclosable pecuniary interest in the Medium Term Financial Plan report to Council for the recommendations from 6.7 to 6.13, because this part of the report related to Rykneld Homes and they were remunerated members of the Board of Rykneld Homes Ltd. They indicated that they would not remain in the meeting when the part of the report was discussed and would not participate in the debate or determine Council's decision on it.

The Leader of the Council declared a significant other interest in the motion relating to fireworks causing distress to people and animals, because of his role as President of the RSPCA branch for Chesterfield and North East Derbyshire.

For Item 8 (Medium Term Financial Plan), Councillors J Lilley and P Windley declared a disclosable pecuniary interest as tenants of Council properties. Councillor R Hall declared a disclosable pecuniary interest because of being both a garage plot leaseholder and a leaseholder with Rykneld Homes, and Councillor S Pickering declared a disclosable pecuniary interest because of being both a Council tenant and a garage plot leaseholder. The Monitoring Officer gave advice that an automatic dispensation on this matter was applied, allowing these four Members to remain in the room to both speak and vote on Item 8.

No further declarations were made at this meeting of Council.

## **528     Minutes of Last Meeting**

Councillor S Cornwell wished to amend the minutes to indicate that it was her to speak in the second and third paragraphs of the discussion about pest control motion a), instead of Councillor N Barker as stated in the minutes.

RESOLVED – That the Minutes of the Council held on 13 January 2020 be approved as a correct record and signed by the Chair.

## **529     Chair's Announcements (if any)**

The Chair gave a warm welcome to Cadet Lance Corporal Noah Thackeray, who would be sworn in as a Civic Cadet later in the meeting. The Chair explained that along with Cadet Lance Corporal John Martin, Cadet Lance Corporal Thackeray would be supporting the Council at future Civic events.

The Chair explained how it was a great privilege to visit a resident in Clay Cross on 31 January 2020 celebrating his 100<sup>th</sup> birthday. The Chair also went to the Clay Cross Angling Club last week to present the award at their annual fishing competition, and she thanked the Club for their generous donation of £300 to the Chair's charity appeal.

The Chair indicated she was looking forward to attending the Derbyshire Amateur Swimming Association Championship on 23 February 2020 at the Arc Leisure Centre in Matlock.

The Chair reminded Members that when they submit expenses claims, they

must be submitted within two months of the activity in line with the Members' Allowance Scheme. The Chair suggested that Members should submit expenses claims once a month to stay within this threshold, and any queries about this should be directed towards the Governance department.

The Chair advised that from 1 March 2020, the modern.gov committee system would be going live. She urged Members to contact the Members ICT and Training Officer before this date to receive face-to-face modern.gov iPad training and install any outstanding iPad updates.

The Chair extended Council's warmest congratulations to Councillor R Shipman for the recent birth of his son.

The Chair handed to the Leader of the Council for an update on the Council's position regarding the Coronavirus (COVID-19) outbreak.

The Leader informed Council that:

- (1) The Council was fully engaged with the County-wide Local Resilience Forum regarding preparedness for Coronavirus. Public Health England and the County's Director of Public Health were also fully engaged at a County level.
- (2) So far, there were no confirmed cases within Derbyshire.
- (3) A sub-group led by health agencies was also meeting weekly to ensure that the County was prepared in the event of any confirmed cases in the future.
- (4) The Council's Joint Strategic Director Karen Hanson would be the Council's Emergency Planning Lead and would continue to participate in all multi-agency preparedness.
- (5) Business continuity plans were being reviewed to ensure that they were effective and appropriate.
- (6) Information was available on the Council's website with links to Government information and advice.

## **530     Appointment of Civic Cadet**

The Chair made an appointment for a Civic Cadet whose role would be to support the Chair and the Authority at future civic events. Cadet Lance Corporal Noah Thackeray was in attendance and the Chair presented him with a Civic Cadet badge, pledge and certificate. Members offered Cadet Lance Corporal Noah Thackeray their congratulations, and the Chair handed over to the Leader of the Council for more information about Civic Cadets.

The Leader of the Council explained the intentions behind the Council appointing Civic Cadets and the reasons for selection. He informed Members that the appointment of Civic Cadets was a tradition with a number of Councils, including Chesterfield Borough Council. The reasons behind North

East Derbyshire Council appointing them were: to restore civic pride, to reiterate the Council's commitment to the Armed Forces Covenant, to promote youth organisations in the District and to support the Chair of the Council in fundraising activities.

In response to a query, the Leader of the Council sought to clarify if the Cadets chosen were from North East Derbyshire. He explained that when the Council decided to begin appointing Civic Cadets, it approached all Cadet detachments in Derbyshire. The Army Cadet Force (including a detachment in Clay Cross) were approached, but said they did not want to support Mayors or Civic Cadets, because they gave exclusive support to the Lord Lieutenant's Cadets. This meant the Council had to look towards Air Force Cadets, Army Cadets and Sea Cadets that might not work within North East Derbyshire or have a detachment there, but were based in North East Derbyshire or had links to the area.

Councillor T Reader thanked the Leader for the explanation, and as a proud mother of two Air Cadets in Clay Cross, found the clarification very useful and reassuring.

#### **531     Public Participation**

In accordance with Council Procedure Rule No 8, members of the public were allowed to ask questions about the Council's activities for a period of up to 15 minutes. The replies to any such questions would be given by the appropriate Cabinet Member. Questions must have been received in writing or by e-mail to the Monitoring Officer by 12 noon seven clear working days before the meeting.

The Chair advised that one question had been submitted to Councillor C Cupit (Portfolio Holder for Environment and Climate Change) from Anne Thoday, but because Anne Thoday was unable to attend, this question would be deferred until a future Council meeting.

#### **532     Representation of the Council on Outside Bodies**

The Chair passed to the Leader of the Council for an update on the work of the Clay Cross Town Board. The Board had been established in response to the Government's Towns Fund prospectus, which proposed 101 towns across the country should set up a Board to potentially secure £25m of investment for each town.

The Leader of the Council explained that the Board held its inaugural meeting on 24 January 2020. As directed by the Government's prospectus, the meeting was attended by representatives from local businesses, Clay Cross Parish Council, the NHS, Derbyshire County Council, Derby University, Chesterfield College and other local stakeholders.

The prospectus also required the Chair of the Board to be someone from the private sector, which is why the Technical Engineering Manager from Worcester Bosch had been asked to take the role after the first meeting.

The Leader of the Council reported that the meeting was positive, with all

attendees providing input into production of an eventual Town Investment Plan. He added that all attendees agreed that the Plan should prioritise:

- (1) Making Clay Cross a 21<sup>st</sup> century town, whilst also preserving its industrial legacy.
- (2) Making Clay Cross a centre for learning, research and climate change innovation, to make it attractive to students.
- (3) Increasing future employment opportunities for local people.

The Leader of the Council explained that there were discussions about a number of potential developments, initiatives and improvements, and the Town Investment Plan would have to be submitted to the Government by Summer 2020. The strands discussed at the first meeting included health, connectivity, education, transport, highways, innovation, economic development, zero carbon opportunities and housing.

Members were informed that the next meeting of the Clay Cross Town Board would be on 28 February 2020, which would encompass a site visit to Clay Cross and a workshop to discuss the strands in more detail.

Councillor N Barker thanked the Leader of the Council for the update, and expressed his belief that this presented a marvellous opportunity for the residents of Clay Cross.

### **533     Medium Term Financial Plan 2020/21 to 2023/24**

The Chair invited the Monitoring Officer to explain how this item would be handled by Council.

The Monitoring Officer advised that the Medium Term Financial Plan report to Council would be voted on and dealt with in two parts. The first part would include recommendations 6.1 to 6.6, and the second part would include recommendations 6.7 to 6.13. This meant that the second part would encompass the recommendations that three Members had declared a displaceable pecuniary interest in because of their roles on the Rykneld Homes Board. The Members in question would be unable to participate or vote on the second part.

Councillor Paul Parkin (Portfolio Holder for Finance) presented the Medium Term Financial Plan 2020/21 to 2023/24 report to Council for recommendations 6.1 to 6.6. He paid tribute to the hard work of Finance officers in producing the Plan and helping him to achieve a balanced budget. The proposals had been approved by Cabinet on 13 February 2020 and were now being presented to Council. He informed Members that a number of efficiencies and savings being identified had allowed the Council to balance the budget.

The Portfolio Holder for Finance continued by warning Members that because of the budget shortfalls forecast for the next few years in Table 1 of the 13 February 2020 report to Cabinet, even more hard work would be required in future to balance the budget. He drew attention to paragraphs 1.9 and 1.10, which explained how the Government's settlement had been planned to come in the

form of the Spending Review for 2019, but this had instead become a one year rollover of the current four year settlement with a new medium term settlement due for 2021 onwards. This meant that the impact of national funding changes (including the Fair Funding Review and Business Rates reset that were expected to affect the 2020/21 budget) had been delayed until 2021/22. This relieved some of the pressure on the 2020/21 budget, but assumptions had continued to be made where sufficient information was available.

Recommendations 6.1 to 6.6 in the report were moved by the Portfolio Holder for Finance and seconded by Councillor A Dale. As the seconder, Councillor A Dale congratulated the Portfolio Holder on finding the line-by-line savings necessary to achieve a balanced budget, particularly since this would allow a Council Tax freeze to be delivered.

Councillor P Kerry spoke on the contents of the report segment under consideration. He acknowledged that Local Government finance was in a difficult place and different people would have their own ideas on how to address it, but he believed that this proposed budget put corporate image before the needs of the vulnerable. This was because he felt the budget would fail to fund organisations that had been helped in previous years, like the Citizens Advice Bureau, the Law Centre, the Unemployed Workers' Centre and Links CVS.

Councillor P Kerry continued and made reference to how non-domestic rates appeared to be the Council's main source of funding, and how it was current Government policy to review this and give help to small businesses. He expressed concerns that if the Government did not fund this, it could be disastrous for the Council. He shared similar concerns about Planning fees, stating that it would be an important source of income if the Council judged it well, but it could also become a significant expenditure because of factors like lost appeals. He believed this was a situation which could be exacerbated by the Cabinet's decision to pause the Local Plan, so he implored them to un-pause it. He also pointed out that the possible end of the New Homes Bonus settlement was an added financial pressure, as it could see the Council miss out on £800,000 a year.

Councillor P Kerry concluded his statement by speaking on Council Tax, and the report's proposal that "no Council Tax increase will be levied in respect of a notional Band D property." He stated that when his previous administration raised Council Tax, he felt they tried to keep the increases as low as possible – their 2% increase amounted to approximately £140,000 of additional income to meet the shortfalls in future Medium Term Financial Plan years, also in the knowledge that future increases would create less income because of a lower base rate.

Councillor D Hancock also spoke on the contents of the report segment under consideration. He congratulated the Portfolio Holder for Finance on finding the efficiencies necessary to balance the budget, and acknowledged that the significant shortfall figures in future years in the Medium Term Financial Plan would make the situation even more difficult if the Council could not call on its reserves. He shared Councillor P Kerry's concerns with the proposed Council Tax freeze, stating that freezing Council Tax at this time could force the Council to make a large increase three or four years down the line instead, and he believed

small incremental increases would be less of a burden on the public. He also shared Councillor P Kerry's concerns about pausing the Local Plan.

The Leader of the Council responded to both Councillors by stating that a Council Tax freeze was an election manifesto pledge that the Cabinet had committed to delivering, and there was a Council Tax increase cap of 1.99% that would require a referendum if breached. He sought to clarify Councillor D Hancock's statement about reserves, stating that no reserves had been used to balance the budget for this year. He also clarified Councillor P Kerry's concern about support for local organisations, stating that the grants to these organisations had not only been preserved, but the Council was one of only two local authorities in Derbyshire that had increased its grants to these types of organisations. He used the example mentioned by Councillor P Kerry of the Unemployed Workers' Centre, and informed Members that the Council had supported the Centre with £10,000. He added that the Council had also provided Action Grants for community groups, and set up funding initiatives to support those with disabilities.

The Leader of the Council continued by stating that one of the financial pressures facing the Council was the Police and Crime Commissioner raising the Police's proportion of Council Tax by £10, in response to the Commissioner's own demands from Chief Constables. The Leader felt that with numerous financial pressures like this, the Council had to make a strong decision to draw the line for the benefit of North East Derbyshire residents.

Councillor N Barker spoke on the contents of the report segment under consideration. He thanked the Leader for the aforementioned £10,000 contribution to the Unemployed Workers' Centre. He believed that nobody wanted to increase Council Tax, but the issue must be considered in the context of Government funding to the Council decreasing by £8m since 2010. He agreed with the concerns expressed by Councillor P Kerry, and stated that not increasing Council Tax now could have a negative cumulative effect in the future and put the Council's ability to provide services at risk in three or four years.

Councillor J Funnell spoke on the contents of the report segment under consideration. He asked if the £1m saving quoted for this year could be broken down into more detail, and if that saving would be the same in future years and carry over. He agreed with the other concerns expressed about freezing Council Tax, and how it could lead to the Council having to make a bigger increase in future years.

The Chair passed to Councillor P Kerry to allow him to speak by way of an explanation. Councillor P Kerry thanked the Leader for the £10,000 contribution to the Unemployed Workers' Centre, and explained that he included the organisation in his earlier statement because he had not seen written confirmation of the contribution. The Leader of the Council responded by saying he met with the Co-ordinator from the Centre about the contribution, and it was given without publicity to ensure that nobody in the District was left in difficulty. He thanked Councillor P Kerry for the acknowledgement.

Councillor R Shipman spoke on the contents of the report segment under consideration. He congratulated the Portfolio Holder for Finance on achieving a balanced budget, but he echoed Councillor J Funnell's comments about needing

more detail on the approximately £1m savings before being able to vote on the budget. He added that he did not think the Council Tax freeze was the right option at this moment in time.

The Chair offered the Portfolio Holder for Finance the right of reply as mover of the motion. He referenced Councillor P Kerry's concerns about the New Homes Bonus settlement, and advised that the total income for this would be £422,000 in the current year and nothing from that point onwards, as far as the Council knew so far. He clarified some of Councillor P Kerry's figures about Council Tax increases, stating that lost income for a 1% increase in Council Tax would amount to £59,000, and the same for a 1.99% increase would amount to £119,000. He referenced Councillor J Funnell's request to have the £956,000 savings broken down, and informed Members that £611,000 was ongoing savings and approximately £200,000 was from vacancy management.

The Chair put recommendations 6.1 to 6.6 to the vote, and advised that a recorded vote would be taken in line with the Council's Constitution, which directed that when matters affecting the setting of the Council's budget or Council Tax were considered by Council, then a recorded vote must take place as a matter of course.

For the motion – 17

(Councillors P Antcliff, W A Armitage, C Cupit, A Dale, L Deighton, O Gomez Reaney, R Hall, A Hutchinson, B Lewis, H Liggett, P Parkin, A Powell, C Renwick, M Roe, D Ruff, M Thacker MBE JP and P Wright.)

Against the motion – 3

(Councillors D Hancock, R Shipman and P Windley.)

Abstentions – 15

(Councillors N Barker, J Barry, J Birkin, A Cooper, S Cornwell, J Funnell, L Hartshorne, M Jones, P R Kerry, J Lilley, G Morley, S Pickering, T Reader, K Rouse, L Stone and B Wright.)

The motion was carried.

The Portfolio Holder for Finance presented the Medium Term Financial Plan 2020/21 to 2023/24 report to Council for recommendations 6.7 to 6.13. In presenting the part on the Housing Revenue Account, he explained that Government guidance stated the Council could increase rent by up to whatever the Consumer Prices Index rate was plus 1% (so a maximum of 2.7% at present), but after taking into consideration people who might struggle to pay their rent, it was decided to make the proposed rent increase 1.7% for this year. He stated that with the economy as it was, still having a rent increase of some kind was important to be able to keep homes well maintained and managed. Putting the proposed increase into force this year would also give residents plenty of notice to plan their finances accordingly.

The Portfolio Holder for Finance presented the Fees and Charges section of the report, and explained how garage rents had been adjusted by Rykneld Homes to reflect the current market, and a review would be undertaken in 2020 regarding the management fee in the Housing Revenue Account paid to Rykneld Homes.



The management fee in the HRA for Rykneld Homes in 2020/2021 retained at £9.852m.

The Portfolio Holder for Finance also spoke on the Capital Programme, and explained that a stock condition survey had been undertaken this year, which resulted in more investment for Rykneld Homes to bring the stock up to energy efficiency standards. The management fee in the Capital Programme for Rykneld Homes for 2020 onwards was retained at £1.1m.

Recommendations 6.7 to 6.13 in the report were moved by the Portfolio Holder for Finance and seconded by Councillor W Armitage. As the seconder, Councillor W Armitage thanked the Portfolio Holder for Finance on what he felt was a rigorous piece of work. He believed that the proposals achieved savings, but also ensured that properties were kept up to scratch.

Councillor D Hancock spoke on the contents of the report segment under consideration. He thanked the Portfolio Holder for Finance for what he felt was an accurate summary, and indicated he would be supporting the motion.

Councillor P Kerry spoke on the contents of the report segment under consideration. He stated that after years of enforced rent reductions, he felt the business plans of housing providers had become untenable. New directives had stipulated a period of rent rises, and the proposals included further rent increases during the life of the Medium Term Financial Plan in addition to the initial increase of 1.7%. He feared that residents would not welcome this. He also noted that the report proposed rent collection in 52 weeks per year instead of 48, and although the reasons for this appeared sound, he believed residents would take exception to being told they would no longer have four rent-free weeks. He expressed concerns that this could just be an attempt to make the rent increase appear smaller, since it would be collected over four more weeks.

Councillor P Kerry continued by making reference to the rents for garages (new and existing), and he noted that these had increased, and in the table for 'garages annual', it would cost significantly more to pay the rent in one instalment than it would to pay it weekly, and he was concerned that this would be an attempt to get the tenancy back quicker.

The Leader of the Council responded to Councillor P Kerry by acknowledging that the proposed change to 52 weeks could be unpalatable to the public, but public consultation on the change would be carried out by Rykneld Homes. He added that there was no attempt to deceive the public on the change, and in fact, he believed a change to 52 weeks would be far more palatable to the public than pretending the four week rent-free period existed.

The Leader of the Council wished to emphasise that the proposals for the rent changes had originated from Rykneld Homes and been recommended to Cabinet. Cabinet considered the rationale behind the proposal, and agreed that it was the best way forward for the Council.

Councillor N Barker spoke on the contents of the report segment under consideration. He was pleased to see the rent increase for the first year only being 1.7%, but he was concerned that if future rent increases were taken on the

Government's guidance of being able to increase rent by up to whatever the Consumer Prices Index rate was plus 1%, Britain's exit from the European Union could make the future CPI rate difficult to predict. He suggested that to mitigate this, the proposals should have included set rent increases for the next five years instead. For this reason, he would not be supporting the motion.

Councillor R Shipman spoke on the contents of the report segment under consideration. He agreed with the Leader of the Council's point about 52 weeks being more palatable to the public than 48 weeks, because he felt it made it easier for resident to budget for the rent, and he believed the four week period of no rent was not actually free. He added that he felt the garage rent increases only appeared significant because they had barely been amended for years, and he also felt that the proposed increase would help fund Council services.

The Chair offered the Portfolio Holder for Finance the right of reply as mover of the motion. He referenced Councillor N Barker's point about future rent increases going up with the CPI rate, and he explained that it had to be approached like this because costs at Rykneld Homes also increased in line with the CPI rate, so rent increases had to be tied to CPI to allow Rykneld to carry out the upkeep and repair of houses. He added that in his opinion, the rent collection change from 48 weeks to 52 weeks was a simple mathematical equation, and there was no real rent-free period of four weeks.

The Chair put recommendations 6.7 to 6.13 to the vote, and advised that a recorded vote would be taken in line with the Council's Constitution, which directed that when matters affecting the setting of the Council's budget or Council Tax were considered by Council, then a recorded vote must take place as a matter of course.

For the motion – 19

(Councillors P Antcliff, W A Armitage, A Cooper, L Deighton, J Funnell, O Gomez Reaney, R Hall, D Hancock, A Hutchinson, B Lewis, H Liggett, P Parkin, C Renwick, M Roe, D Ruff, R Shipman, M Thacker MBE JP, P Windley and P Wright.)

Against the motion – 13

(Councillors N Barker, J Barry, J Birkin, S Cornwell, L Hartshorne, M Jones, P R Kerry, J Lilley, G Morley, S Pickering, T Reader, K Rouse and B Wright.)

Abstentions – 0

The motion was carried.

**RESOLVED** – That:-

- (1) It be accepted that in the view of the Chief Financial Officer, the estimates included in the Medium Term Financial Plan 2020/21 to 2023/24 are robust and that the level of financial reserves, whilst at minimum levels, are adequate.
- (2) Officers report back to Cabinet and the Audit and Corporate Governance Scrutiny Committee on a quarterly basis regarding the overall position in

respect of the Council's budgets. These reports are to include updates on achieving the savings and efficiencies necessary to secure a balanced budgets over the life of the Medium Term Financial Plan.

- (3) No Council Tax increase will be levied in respect of a notional Band D property.
- (4) The Medium Term Financial Plan in respect of the General Fund as set out in the report to Cabinet (Appendix 1) be approved as the Current Budget 2019/20, as the Original Budget 2020/21, and as the financial projections in respect of 2021/22 to 2023/24.
- (5) Any under spend in respect of 2019/20 be transferred to reserves to be available for reinvestment in transformation and increased financial resilience as required.
- (6) On the basis that income from planning fees is anticipated to exceed £0.480m in 2020/21, the Chief Executive in consultation with the Leader be granted delegated powers to authorise such additional resources as are necessary to effectively manage the resultant increase in workload.
- (7) Council sets its rent levels in line with the Social Housing Rent Standard increasing rents by 1.7% from 1<sup>st</sup> April 2020 and by CPI + 1% for years 2021/22 to 2023/24.
- (8) The increases in respect of all other charges be implemented in line with the table shown at 1.33 with effect from 1 April 2020.
- (9) The Medium Term Financial Plan in respect of the Housing Revenue Account as set out in the report to Cabinet (Appendix 1) be approved as the Current Budget in respect of 2019/20, as the Original Budget in respect of 2020/21, and the financial projection in respect of 2021/22 to 2023/24.
- (10) The Management Fee for undertaking housing services at £9.852m and the Management Fee for undertaking capital works at £1.1m to Rykneld Homes in respect of 2020/21 be approved.
- (11) Members endorse the section in the current Financial Protocol which enables the Council to pay temporary cash advances to Rykneld Homes in excess of the Management Fee in order to help meet the cash flow requirements of the company should unforeseen circumstances arise in any particular month.
- (12) Members note the potential requirement to provide Rykneld Homes with a 'letter of comfort' to the company's auditors and grant delegated authority to the Council's Chief Financial Officer in consultation with the Portfolio Member for Finance to agree the contents of that letter.

The Capital Programme as set out in the report to Cabinet (Appendix 1) be approved as the Current Budget in respect of 2019/20, and as the Approved Programme for 2020/21 to 2023/24.

## 534 **Treasury Management Strategy 2020/21 to 2023/24**

The Portfolio Holder for Finance presented the Treasury Management Strategy 2020/21 to 2023/24 report to Members. The report outlined the Council's proposed suite of Treasury Strategies for the period 2020/21 to 2023/24 for consideration and approval by Council. It contained:

- (1) The Treasury Management Strategy, which provided the framework for managing the Council's cash flows, borrowing and investments for the period.
- (2) The Capital Strategy, which was intended to provide a high level, concise overview of how capital expenditure, capital financing and treasury management activity contributed to the provision of the Council's services.
- (3) The Investment Strategy, which focused on investments made for service purposes and commercial reasons, rather than those made for treasury management.

The Portfolio Holder for Finance moved the recommendations in the report. This was seconded by Councillor A Dale, who reserved the right to speak.

The Chair put the motion to the vote, and advised that a recorded vote would be taken in line with the Council's Constitution, which directed that when matters affecting the setting of the Council's budget or Council Tax were considered by Council, then a recorded vote must take place as a matter of course.

For the motion – 35

(Councillors P Antcliff, WA Armitage, N Barker, J Barry, J Birkin, A Cooper, S Cornwell, C Cupit, A Dale, L Deighton, J Funnell, O Gomez Reaney, R Hall, D Hancock, L Hartshorne, A Hutchinson, M Jones, P R Kerry, B Lewis, H Liggett, J Lilley, G Morley, P Parkin, S Pickering, A Powell, T Reader, C Renwick, M Roe, K Rouse, D Ruff, R Shipman, M Thacker MBE JP, P Windley, B Wright and P Wright.)

Against the motion – 0

Abstentions – 0

The motion was carried.

**RESOLVED** – That:-

- (1) Council approves the Treasury Management Strategy at Appendix 1 and in particular:
  - a) Approves the Borrowing Strategy
  - b) Approves the Investment Strategy
  - c) Approves the use of the external treasury management advisors Counterparty Weekly List – or similar - to determine the latest

- assessment of the counterparties that meet the Council's Criteria before any investment is undertaken.
- d) Approve the Prudential Indicators
- (2) Council approves the Capital Strategy as set out in Appendix 2 and in particular:
- a) Approves the Capital Financing Requirement
- b) Approves the Minimum Revenue Provision Statement for 2020/21
- c) Approves the Prudential Indicators for 2020/21 detailed in the Capital Strategy, in particular:
- |                               |              |
|-------------------------------|--------------|
| Authorised Borrowing Limit    | £199,485,000 |
| Operational Boundary          | £194,485,000 |
| Capital Financing Requirement | £189,485,000 |
- (3) Council approves the Investment Strategy as set out in Appendix 3.

**535 To answer any questions from Members asked under Procedure Rule No 9.2**

In accordance with Council Procedure Rule No 9.2 Members were permitted to ask the Chair of the Council or relevant Committees or the appropriate Cabinet Member questions about Council activities.

No questions had been submitted under Procedure Rule No 9.2 for this meeting.

**536 To consider any motions from Members under Procedure Rule No 10**

In accordance with Council Procedure Rule No 10 to consider Motions on notice from Members. Motions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

Motion proposed by Councillor P Windley and seconded by Councillor R Shipman

*"North East Derbyshire District Council believes the law is failing as it does not prevent or sufficiently reduce the risk of fireworks causing distress, injury or anxiety to people, as well as death, injury or distress to animals.*

*The Council believes that further research is needed to properly understand the impact of noise on animals and vulnerable people, and a number of things can be done to improve the situation for animals and people by:-*

- *Introducing a limit on the public use of fireworks on or close to specific dates and times;*
- *Tightening restrictions on the sale of fireworks in the run up to Bonfire Night;*
- *Reducing the maximum noise level of fireworks sold to the public, ensuring they are labelled accurately;*
- *Licensing all public firework displays – and ensuring displays are better advertised to the public.*

*This Council resolves:-*

- *To require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;*
- *To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;*
- *To encourage local suppliers of fireworks to stock “quieter” fireworks for public display”.*

The motion was moved by Councillor R Shipman and seconded by Councillor P Windley. Councillor P Windley reserved the right to speak.

As mover of the motion, Councillor R Shipman stated that this was an issue flagged up to him by one of his ward residents. He explained that the motion sought to make provisions for people (such as those with Post Traumatic Stress Disorder) and animals that might be at risk at times when loud fireworks were let off. He believed the proposals in the motion could lead to a culture change in North East Derbyshire District in terms of firework noise.

Councillor R Shipman acknowledged that the Portfolio Holder for Environment and Climate Change had recently presented a report to Cabinet on the same subject.

The Portfolio Holder for Environment and Climate Change spoke on the motion. She thanked Councillor R Shipman for proposing a motion about an issue she agreed was very important, particularly since it was a subject many residents had complained about and an RSPCA campaign had been underway to protect animal welfare when using fireworks. She added that the vast majority of firework users were using them responsibly, so she felt it was a delicate balance between protecting people and animals, but not being too strict.

The Portfolio Holder for Environment and Climate Change explained that the RSCPA’s campaign had set out a model motion specifically for Councillors to submit to Council meetings, and the motion from Councillor R Shipman appeared to be based more around national legislation, which the Council would have no power over. She added that the Government already had a number of legal safeguards in place to protect people and animals, such as buying restrictions, noise limits and curfews. She felt that the issue was more appropriate for Councils to tackle in other practical ways, which was the purpose behind the report to Cabinet mentioned by Councillor R Shipman.

The report in question was presented to Cabinet and approved. It proposed that the Council would:

- (1) Launch a firework/bonfire display registration scheme and code of conduct. This would be launched in the run-up to bonfire night 2020, and would introduce a voluntary registration scheme and code of conduct to address noise and safety concerns. This would mean that any residents with concerns would be given prior warning of any displays.
- (2) Publicise the launch of the above scheme, to raise awareness of safety

concerns and highlight the impact displays could have on people and animals. This would tell display owners of the positive actions they can undertake to reduce impacts on residents.

- (3) Carry out consultation with residents about their thoughts on the report's proposals, to strike the balance between protecting people and animals whilst still allowing some displays. This point was not in the report but did get approved by Cabinet as an addition.

Members were informed that the report approved by Cabinet was only the initial plan, and since then, the Council had liaised with the national and local RSCPA about other steps the Council could take, such as reducing maximum noise levels.

The Portfolio Holder for Environment and Climate Change believed that with all of this in mind, the motion submitted by Councillor R Shipman was unnecessary.

Councillor N Barker spoke on the motion, and he agreed it was an important subject, but he was satisfied it was being addressed internally as detailed by the Portfolio Holder.

Councillor J Lilley spoke on the motion. He relayed a complaint from one of his residents about the damage fireworks had done to their vehicle, so he felt it was important to consider the damage fireworks could cause to vehicles and buildings as well as people and animals.

Councillor D Hancock spoke on the motion, and he hoped that the work being done by Cabinet included the impact fireworks could have on the mental health of residents.

Councillor R Shipman stated that as long as the Cabinet's work included the concerns from Councillor J Lilley and Councillor D Hancock about property/vehicle damage and mental health, he and Councillor P Windley were satisfied to withdraw the motion after hearing the ongoing work outlined by the Portfolio Holder.

The motion was withdrawn by the mover Councillor R Shipman and the seconder Councillor P Windley.

## **537     Chair's Urgent Business**

The Chair advised that there was one item of urgent business, which was appointment of the Chair for the Licensing Committee.

The Leader of the Council nominated Councillor H Liggett. This was seconded by Councillor A Dale.

On being put to the vote, the motion was carried.

RESOLVED – That Councillor H Liggett be appointed as Chair of Licensing Committee.