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**North East
Derbyshire**
District Council

Our Ref:

Contact: Nicola Calver

Tel:

Email:

Date: Friday, 1 November 2019

To: **All Members of the Council**

You are summoned to attend a meeting of the Council to be held on **Monday, 11 November 2019 at 3.00 pm in the Council Chamber**,. District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield.

Please note that a number of parking spaces will be reserved for Member use on the day of the meeting.

Yours sincerely

A handwritten signature in black ink that reads "Sarah Steuberg".

Joint Head of Corporate Governance and Monitoring Officer

PLEASE NOTE:

1 For Members' information the following room arrangements have been made for Group Meetings prior to this Council meeting:

Labour Group	-	Executive Meeting Room
Conservative Group	-	Council Chamber
Liberal Democrat	-	Meeting Room 102A

2 Members are requested to bring their laptops and iPads to the meeting where assistance will be provided to anyone who may require it in order to follow the meeting electronically.

AGENDA

1 Apologies for Absence

2 Declarations of Interest

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

3 Minutes of Last Meeting (Pages 7 - 20)

To approve as a correct record and the Chair to sign the attached Minutes of the Council meeting held on 9 September 2019.

4 Chair's Announcements (if any)

5 Voluntary of Community Organisations - Derbyshire Law Centre

To receive a presentation from Tony McIlveen and Lisa Haythorne from the Derbyshire Law Centre.

6 Public Participation

In accordance with Council Procedure Rule No 8 to allow members of the public to ask questions about the Council's activities for a period up to fifteen minutes. The replies to any such questions will be given by the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

No questions have been submitted under Procedure Rule No 8 for this meeting.

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

In accordance with Council Procedure Rule No 9.2 to allow Members to ask questions about Council activities. The replies to any such questions will be given by the Chair of the Council or relevant Committee or the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

(a) Question submitted by Councillor Oscar Gomez Reaney to Councillor Charlotte Cupit, Portfolio Holder for Environment & Climate Change

Following this Council's unanimous declaration of a climate and ecological emergency in July this year, can you provide an update for residents and Cllrs on what progress and actions have been taken so far to progress our agreed climate change action plan?

(b) Question submitted by Councillor Ross Shipman to Councillor Charlotte Cupit, Portfolio Holder for Environment & Climate Change

The Liberal Democrats note, with some concern, the investment in new

diesel road sweepers despite the Council's recent declaration of a climate emergency. We would therefore ask how Councillor Cupit feels that this investment is consistent with the Council's climate change objectives.

8 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.

- (a) Motion proposed by Councillor Ross Shipman, seconded by Councillor Pam Windley

"Council notes:-

The sale and redevelopment of council owned land and the resultant mix of executive homes and affordable housing on such plots. That a significant number of these properties are outside the affordability of many North East Derbyshire residents.

The Liberal Democrats believe that such sales are not in the interests of the residents of North East Derbyshire as they fall significantly short of meeting the needs to existing local residents.

Council resolves:-

That future sales of council owned land for development will only be condition that 100% of the proposed development will be for social and affordable housing".

- (b) Motion proposed by Councillor David Hancock, seconded by Councillor Ross Shipman

"Council notes:-

The wording of rule 12.13 – Personal Explanation in the Council's Constitution that there is no provision within the Constitution for Members to correct misleading or untrue statements made about them during the course of a meeting.

Council believes:-

That this lack of provision, however unintentionally, enables misrepresentation of elected Members in Council and adversely impacts on public perception of their elected representatives.

Council resolves:-

That rule 12.13 be amended to:- A Councillor may make a personal explanation at any time. A personal explanation shall relate to some material part of any comment made during debate, which:-

- (a) *may have been made by the Member and appear to have been misunderstood in the present date.*
- (b) *to correct any misleading or untrue statement made by any other Member during the present debate.*

The ruling of the Chair of the Council on the admissibility of a personal explanation will be final”.

- (c) Motion proposed by Councillor Pam Windley, seconded by Councillor David Hancock

“Council notes:-

That there are still a number of business and community premises around North East Derbyshire which lack adequate disabled access. That a number of these premises are struggling to find appropriate support in accessing grants and funding to enable them to make the appropriate changes.

Council resolves:-

To undertake a review into disabled access and walkways around the District and to work with all relevant stakeholders to make adjustments, where necessary”.

9 Report of the Joint Chief Executive (Pages 21 - 42)

Review of Polling Districts, Polling Places and Polling Places

10 Reports of Councillor Alex Dale, Deputy Leader of the Council and Portfolio Holder for Council Services (Pages 43 - 75)

- (a) Draft Organisational Policy
- (b) LGPS Pension Discretions 2019

11 Reports of Councillor Paul Parkin, Portfolio Holder for Finance (Pages 76 - 97)

- (a) Annual Audit Letter 2018/19
- (b) Treasury Management Update

12 Report of the Chair of Standards Committee (Pages 98 - 101)

Change to the Constitution – Joint Employment and Appeals Committee – North East Derbyshire District Council only appointments – referral by Standards Committee

13 Appointments to Committees, Advisory Groups and Outside Bodies

To appoint:-

- (a) A Labour Member to the Communities Scrutiny Committee (nominated Member: Cllr J Birkin) as a replacement for Cllr B Hill.
- (b) A Labour Member to the Growth Scrutiny Committee (nominated Member: Cllr N Barker) as a replacement for Cllr J Barry.

14 Exclusion of Public

The Chair to move:-

That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Paragraphs 1, 2 & 3, Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006).

15 Reports of Councillor Paul Parkin, Portfolio Holder for Finance (Pages 102 - 113)

- (a) Dedicated Head of Service – Finance and Resources (including Section 151 Officer role)
(Paragraphs 1 & 3)
- (b) Treasury Management Strategy Update – Whiteleas Development
(Paragraph 3)

16 Report of the Joint Head of Corporate Governance and Monitoring Officer (Pages 114 - 118)

Councillor Dispensation
(Paragraphs 1, 2 & 3)

17 Strategic Alliance Management Team Review - Proposals

Members will need to bring the report that went to Cabinet on 7 November 2019 to this meeting of Council.
(Paragraph 3)

18 Chair's Urgent Business

To consider any other matter which the Chair is of the opinion should be considered as a matter of urgency.



***We speak
your language***

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish
***Hablamos su
idioma***

Slovak

***Rozprávame Vaším
jazykom***

Chinese

我们会说你的语言

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MINUTES OF COUNCIL MEETING HELD ON 9 SEPTEMBER 2019

I N D E X

Page No	Minute No	Heading
2	204	Apologies for Absence
2	205	Declarations of Interest
2	206	Minutes of Council Meeting held on 8 July 2019
2	207	Chair's Announcements
2	208	NEDDC Contribution to the Armed Forces Covenant
3	209	Derbyshire Law Centre
4	210	Public Participation
4	211	Questions asked under Council Procedure Rule No 9.2
5	212	Motions considered under Council Procedure Rule No 10
11	213	NEDDC Contribution to the VE Day 75 th Anniversary Celebrations
12	214	Council Plan
12	215	Draft Organisational Policies
13	216	Chair's Urgent Business

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

HELD ON 9 SEPTEMBER 2019

Present:

Councillor C D Huckerby Chair
Councillor P Antcliff..... Vice Chair

Councillor N Barker

“ J Birkin
“ K Bone
“ P Bone
“ S Clough
“ A Cooper
“ S Cornwell
“ C Cupit
“ A Dale
“ L Deighton
“ P Elliott
“ M Emmens
“ A Foster
“ M Foster
“ J Funnell
“ O Gomez Reaney
“ R Hall
“ D Hancock
“ L Hartshorne
“ E A Hill
“ P A Holmes
“ M Jones

Councillor J Kenyon

“ P R Kerry
“ B Lewis
“ H Liggett
“ J Lilley
“ G Morley
“ P Parkin
“ S Pickering
“ M Potts
“ A Powell
“ T Reader
“ C Renwick
“ M Roe
“ K Rouse
“ D Ruff
“ R Shipman
“ L Stone
“ M E Thacker MBE
“ R Welton
“ N Whitehead
“ B Wright
“ P Wright

Also in attendance:-

D Swaine - Joint Chief Executive
K Hanson - Joint Strategic Director - Place
L Hickin - Joint Strategic Director - People
S Sternberg - Joint Head Corporate Governance & Monitoring Officer
J Dethick - Chief Accountant
S Gordon - Human Resources & Organisational Development Manager
A Maher - Senior Governance Officer

204 Apologies for Absence

Apologies for absence had been received from Councillors W Armitage, J Barry, C Hunt, A Hutchinson, J Ridgway, K Tait and P Windley.

205 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.

There were no declarations of interest made at this meeting.

206 Minutes of the Council Meeting held on 8 July 2019

RESOLVED – That the Minutes of the meeting of the Council held on 8 July 2019 be approved as a correct record and signed by the Chair.

207 Chair's Announcements

The Chair of the Council, Councillor C Huckerby explained that she had now recovered from her leg injury. The Chair made it clear that she was looking forward to being as active as possible in the District's communities, meeting the Council's own staff and representing the District of North East Derbyshire across the region.

The Chair informed Members that she had attended the inauguration of the new Bishop of Derby, the Right Reverend Libby Lane. She pointed out that the Right Reverend Lane was the first female Bishop of the Diocese of Derby and showed a clear commitment to all of the people of Derbyshire.

The Chair explained to Council that she would support through her charitable appeal the Sheffield Children's Hospital Parents Association of Children with Tumours and Leukaemia (PACT) during her year in office. The Chair invited a representative of PACT, Beryl Welburn, to briefly explain the role of association and the work which it carries out to support children with tumours and Leukaemia, their parents and their families.

The Chair thanked Mrs Welburn for her comments.

208 NEDDC Contribution to the Armed Forces Covenant

Council received a presentation from the Strategic Partnership Co-ordinator on the Council's support for the Armed Forces community and the Armed Forces Covenant. As part of this, he highlighted the support which it provides through its Choice Based Allocations Policy, the work carried out in conjunction with the Soldier, Sailor and Airforce Association (SSAFA) to meet the needs of veterans, such as referring ex-service people for Disabled Facilities Grants and by offering additional paid leave to Council employees

serving in the armed forces reserves, so that they can undertake the required military training.

Members thanked the Strategic Partnership Co-ordinator for his presentation.

Council then considered a report of Councillor M E Thacker MBE, the Leader of the Council and Armed Forces Champion. The report explained the Council's commitment to the armed forces and the way in which it would show its ongoing commitment to the Covenant by continuing to develop the Council's 'offer' to the armed forces community (or those serving and formerly serving in the armed forces and their families).

The report made clear that discussions would take place with the Clay Cross Army Cadet detachment, in order to establish an Annual Civic Events role. The aim was that they should accompany the Council Chair to various civic events.

Members discussed the report. There was a consensus that the Council had demonstrated a long standing commitment to the Armed Forces and general support for this commitment should continue and be enhanced.

The Chair explained that in recognition of this long standing commitment, the Council had been awarded the Ministry of Defence (MOD) Employee Recognition Service Bronze Award. The award was presented at the meeting by Colonel John Wilson from the MOD. Colonel Wilson explained the valuable role which the Council and others can play in helping to build a supportive relationship between the armed forces Community and wider society.

Council thanked Colonel Wilson for his comments and for the award.

At the conclusion of the discussion, Members agreed that the Leader of the Council be authorised to re-sign the Covenant on behalf of the Council, in his capacity as Armed Forces Champion, in confirmation of the Council's continuing commitment to the armed forces community.

RESOLVED – That Council:-

- (1) Notes the activities undertaken to-date to support the delivery of the Armed Forces Covenant for Derbyshire and the planned activities for the future.
- (2) Approves the re-signing of the Armed Forces Covenant for Derbyshire, by Councillor M E Thacker MBE to highlight its commitment to the Armed Forces Community within the District.

209 Derbyshire Law Centre

The Chair explained that the presentation by the Derbyshire Law Centre had been postponed. The presentation would be rearranged to take place at a Council meeting on a later date.

210 Public Participation

Members were reminded that 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 had to be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

Council was informed that no questions from the public had been submitted.

211 Questions from Members 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 Committee or the appropriate Cabinet Member questions about Council activities.

Two questions had been submitted by Members under Procedure Rule 9.2 for this meeting.

(a) Question submitted by Councillor Ross Shipman to Councillor Martin Thacker MBE, Leader of the Council

Does Councillor Thacker believe that ward members should be briefed of issues relating to their area before the media receive copies of any press releases about said issues?

Councillor R Shipman was invited to ask his question of Councillor M E Thacker MBE, the Leader of the Council, as set out in the agenda for the meeting.

The Leader of the Council explained that when possible elected Members were informed of issues which affect their wards and especially when issues arise that might be of interest to the press. He made clear, however, that it may not always possible to do this because of the time constraints or because the issues involved are confidential.

SUPPLEMENTARY QUESTION

In exercising his right to ask a supplementary question of the Leader of the Council, Councillor R Shipman queried a specific issue where, he contended, the press had been informed at a significant time before he and other local Members were briefed. These specific points were answered by the Leader of the Council. He emphasised that the Council's ability to keep Members informed can be made more difficult when they in turn talk to the press independently, without then subsequently informing the Council's Communications Team.

- (b) Question submitted by Councillor Suzy Cornwell to Councillor Barry Lewis, Portfolio Holder for Partnerships & Leisure

Councillor S Cornwell was invited to ask her question of Councillor B Lewis as set out in the agenda for the meeting.

Please could you inform the Council what the plans are for this administration to help people and communities in the District with their health and wellbeing?

Councillor B Lewis, Portfolio Holder for Partnerships & Leisure, explained the many different ways in which the Council makes a tangible contribution to the health and wellbeing of the District's residents. These included promoting opportunities for exercise through its leisure facilities, protecting the most vulnerable and helping to meet the challenges of climate change in the District, which will benefit all of its residents.

Specifically, he highlighted the commitments on health and wellbeing in the new Council Plan. These commitments included work with communities to tackle issues, such as childhood obesity and lack of exercise, support for care leavers as well as children in care, tackling childhood poverty and developing an Older People's Strategy.

SUPPLEMENTARY QUESTION

In exercising her right to ask a supplementary question of Councillor B Lewis, Councillor S Cornwell asked about the future of Clay Cross Hospital and the proposed closure of the Doctors Surgery at Pilsley. She argued that these and similar closures have had an impact on some of the poorest and most vulnerable people, with a consequent serious impact on their health and wellbeing. Councillor S Cornwell suggested that the service reductions had been driven by the financial austerity policies followed by national Government.

These points were addressed by Councillor B Lewis. He highlighted the increase in health service budgets that had been announced at a national level, the extra funding made available for health and wellbeing allocated by the current administration of Derbyshire County Council as part of its budget for 2019-20 and North East Derbyshire District Council's own commitment to health and wellbeing. He agreed to provide a full written answer in relation to the detailed issues which had been raised.

212 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.

- (a) Motion proposed by Councillor Ross Shipman

"Council notes:

VE Day is a memorable day in our history marking the end of the Second World War. Friday, 8 May 2020 marks the 75th Anniversary of VE Day and local communities may wish to celebrate by organising events such as street parties across North East Derbyshire.

Some community events of national importance may require temporary road closures under the Town Police Clauses Act 1847, which North East Derbyshire charge £200 to administer.

Council agrees:

To waive the fee for road closures on Friday, Saturday and Sunday of VE Day weekend.

For officers to be given powers to waive such fees on other dates which have national significance where road closures may be needed”.

In presenting his motion to Council, Councillor R Shipman explained that a local community group had asked for road closure charges to be waived, so that they could celebrate the commemoration. He emphasised the importance of the VE Day commemorations to the wider community and how the proposed change would make it easier for local people to celebrate. He also suggested that, moving forward, officers should be authorised to determine whether or not to waive road closure fees on named days of special significance.

The Leader of the Council objected to the Motion. He felt that it did not provide sufficient detail about the practicalities, such as whether only properly constituted bodies, such as parish councils should be allowed to apply for road closures, the potential health and safety implications and the potential resource implications for the Council, especially in terms of officer time. He also made it clear that the Council already has a policy for waiving fees for temporary road closures and that there were no reasons for moving away from this.

The Leader of the Council made clear that the Council recognised fully the importance of the 75th anniversary celebrations. In this context, it had developed specific recommendations for the anniversary, which were set out in Item 10 on today’s agenda.

Councillor N Barker, the Leader of the Labour group made it clear that his group would not support the motion. Rather, they would support the suggested approach as set out in the report at Item 10 on the agenda – NEDDC contribution to the VE Day 75th Anniversary Celebrations.

At the conclusion of the discussion a vote was taken and the motion was rejected.

In response to a query from Councillor R Shipman and Councillor D Hancock, the Chair confirmed that under the Constitution, Council could consider and determine on the recommendations in Item 10 on the agenda at this meeting.

- (b) Motion proposed by Councillor David Hancock and seconded by Councillor Ross Shipman

“Council notes:

The Department of Health and Social Care definition of food poverty as “the inability to access or afford food to make up a healthy diet”.

That food poverty is a complex issue with many causes, that it can affect anyone, including many people who work and many families, even in apparently well off areas.

There is a growing problem of food insecurity in the UK, affecting as many as 8.4 million people, of which increasing reliance on food banks is one symptom.

That food banks in North East Derbyshire supply thousands of food parcels each year to local people.

The importance of local food systems and education in ensuring access to affordable sustainable and healthy food options.

Addressing food poverty may contribute to improving the health, wellbeing, education and independence of local residents; supporting the local food economy; and reducing environmental impacts.

Council therefore:

Commends the invaluable work done by local charities, churches and food banks in North East Derbyshire to support people facing food poverty and crisis.

Requests the Communities Scrutiny Panel to work with local organisations and develop recommendations for a Food Poverty Action Plan for North East Derbyshire.

Request that Cabinet initiate a Local Food Strategy for North East Derbyshire.”

In presenting his motion to Council, Councillor D Hancock highlighted the problem of ‘food poverty’ in the District. He argued that important as food banks are at providing help and assistance the Council needed to take a more strategic approach was required. He felt that the Community Scrutiny Committee should be asked to work with local churches and other groups that provide food banks, in order to draw up a Food Poverty Action Plan which could form the basis of a Local Food Strategy for the District.

The Leader of the Council responded to the motion. He made it clear that despite it not being a statutory responsibility, the Council had and would continue to support foodbanks in the District. He gave examples of the way in which the Council and Rykneld Homes, as its Arm’s Length Management Organisation, have done this.

The Leader of the Council emphasised that one of the key objectives for the Council was to support people and to help them out of poverty. He gave examples of specific projects which had contributed to this. These included helping to create jobs, improving skills so that people were more employable and working with others to prevent homelessness. Specific mention was made of the new 'Call Before You Serve' project which was introduced under the current administration. This was intended to help prevent people from being evicted because of their rent arrears.

Cllr J Lilley made it clear that he supported the motion, but felt that it would be inappropriate to mandate the Communities Scrutiny Committee to carry on developing a Food Poverty Action Plan. This would, he argued, go against the long held principle that the Council's scrutiny committees should determine their own work programmes.

Cllr J Lilley moved an amendment to the motion to remove this provision, which Cllr D Hancock accepted.

Upon the vote the amendment to the motion, removing references to the *Communities Scrutiny Panel being requested to work with local organisations and develop recommendations for a Food Poverty Action Plan for North East Derbyshire*, was rejected.

Council then voted on the motion. Upon the vote, the motion was **REJECTED**.

Motion proposed by Councillor Alex Dale and seconded by Councillor Martin Thacker

"This Council notes:

1 in 4 people will experience a mental health problem in any given year.

The World Health Organisation predicts that depression will be the second most common health conditions worldwide by 2020.

Mental ill health costs some £105 billion each year in England alone.

People with a severe mental illness die up to 20 years younger than their peers in the UK.

This Council believes:

As a local authority we have a crucial role to play in improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.

Mental health should be a priority across all the local authority's area of responsibility, including housing, community safety and planning.

All Councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing mental health on an individual and strategic basis.

This Council resolves:

To sign the Local Authorities' Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, AMHP, Mind, Rethink Mental Illness, Royal College of Psychiatrists and Young Minds.

To commit to appoint an elected member as 'mental health champion' across the Council.

To identify a member of staff within the Council to act as 'lead officer' for mental health.

The Council will also:

Support positive mental health in our community, including in local schools, neighbourhoods and work places.

Work to reduce inequalities in mental health in our community.

Work with local partners to offer effective support for people with mental health needs.

Tackle discrimination on the grounds of mental health of our community.

Proactively listen to people of all ages and backgrounds about what they need for better mental health".

In presenting his motion to Council, Councillor A Dale, emphasised how mental ill health can occur across all age and social groups. He also emphasised that the Council should seek to work with local partners to offer effective support for people with mental health needs. He hoped that all Members would support the motion and agree that the Council sign the Local Authorities' Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, AMHP, Mind, Rethink Mental Illness, Royal College of Psychiatrists and Young Minds.

Council discussed the motion. There was strong support for its aims. Members recognised the importance of ensuring mental health and the valuable role which the Council could play in helping to support positive mental health in our community, including in local schools, neighbourhoods and work places.

During the discussion, Councillor S Pickering argued that many people suffered from mental ill health issues, because they faced stress caused by economic factors, such as low pay and poverty. He suggested that these stresses had been exacerbated by the policies of the national Government and the reductions in public spending, which had affected the most vulnerable in society. An extensive debate took place around these points

and especially the action which had been taken to help those in poverty and the Council's commitment to promoting the wellbeing of the community and of its own staff.

Councillor S Pickering proposed that the motion be amended to reflect the economic factors that can lead to mental health problems. He proposed that the following additional text be included after point three in the motion:

That the Council write to the Prime Minister, Secretary of State for Housing, Communities & Local Government and the Chancellor of the Exchequer to;

- (a) Highlight the funding pressures facing local government and to call on them to recognise the damage to society and increase mental health issues as a result of cuts to public services.*
- (b) Reinvest in our crucial public services to address the different issues which lead to mental health problems.*

In accordance with Council Procedure Rule 14.4 a recorded vote was requested by Councillors N Barker, T Reader and L Stone on the amended motion

For the Motion - 19

(Councillors N Barker, J Birkin, A Cooper, S Cornwell, J Funnel, D Hancock, L Hartshorne, E A Hill, P Holmes, M Jones, P R Kerry, J Lilley, G Morley, S Pickering, T Reader, K Rouse, R Shipman, L Stone, B Wright.

Against the amended motion - 27

(Councillors K Bone, P Bone, S Clough, C Cupit, A Dale, L Deighton, P Elliott, M Emmens, A Foster, O Gomez Reaney, R Hall, C D Huckerby, J Kenyon, B Lewis, H Liggett, P Parkin, M Potts, A Powell, C Renwick, M Roe, D Ruff, M E Thacker MBE, R Welton, N Whitehead, P Wright.

The amended motion was **DEFEATED**.

Councillor D Hancock then moved a further amendment to the motion, seconded by Councillor R Shipman that:

The Council should adhere to the Health & Safety Executive (HSE) Management Standards and to ensure that a minimum standards in provision of Health & Wellbeing is maintained across the Council.

The amendment was debated. Following on from this, Council voted on the amended motion. Upon the vote the amended motion was **DEFEATED**.

Council then voted on the motion. In accordance with Council Procedure Rule 14.4 a recorded vote was requested by Councillors A Dale, M E Thacker MBE and B Lewis.

For the Motion – 46

(Councillors W Armitage, N Barker, J Birkin, K Bone, P Bone, S Clough, A Cooper, S Cornwell, C Cupit, A Dale, L Deighton, P Elliott, M Emmens, A Foster, M Foster, J Funnell, O Gomez Reaney, R Hall, D Hancock, L Hartshorne, E A Hill, A Holmes, C D Huckerby, M Jones, J Kenyon, P R Kerry, B Lewis, H Liggett, J Lilley, G Morley, P Parkin, S Pickering, M Potts, A Powell, T Reader, C Renwick, M Roe, K Rouse, D Ruff, R Shipman, L Stone, M E Thacker MBE, R Welton, N Whitehead, B Wright and P Wright).

The Council was **UNANIMOUS** in accepting the motion.

213 NEDDC Contributions to the VE Day 75th Anniversary Celebrations

Council considered a report of Councillor M E Thacker MBE, Leader of the Council, which advised Members of the Council's planned contributions to the celebration of the 75th anniversary of VE (Victory in Europe) Day.

Members were reminded that Friday 8 May 2020 had been designated as a Bank Holiday. This had been done to enable as many as possible to celebrate the anniversary. Many events were likely to take place both on the Bank Holiday and across the weekend. The report explained that in order to avoid clashes with local events on 8 May, the Council intended to organise two civic events on Saturday 9 May 2020. One of these would be organised in a parish in the northern part of the District. The other would be organised in a parish in the southern part of the District.

The report also proposed that the Council should draw up a list of dates of national significance, which would warrant consideration of waiving fees for road closures. Subject to Member agreement, the proposed list would be submitted to Council at its next meeting for approval.

Members discussed the report. There was general agreement that the Council should support the VE Day 75th anniversary celebrations.

RESOLVED – That Council:-

- (1) Notes the plans to celebrate the VE Day 75th Anniversary.
- (2) Approves to support the publicity and waiving of road closure fees for officially registered VE Day 75th Anniversary celebration events within the District.
- (3) Approves the establishment of a list of dates of national significance for celebration for the civic year, to be confirmed at the next Council meeting, and then reviewed on a regular basis as dates arise. This will inform officers of which dates to consider for waived fees for temporary road closures.

214 Council Plan 2019-2023

Council considered a report of M E Thacker MBE, Leader of the Council on the draft Council Plan. Members were reminded that this report had been considered by Cabinet on 5 September 2019. Cabinet supported the draft Council Plan and had recommended it to Council for approval.

The Joint Strategic Director – Place gave a presentation on the draft Plan. In particular, she explained that the previous Corporate Plan, for 2015-19 had now come to the end of its lifespan and so would have to be replaced. Work had taken place on developing its replacement, to be called the Council Plan, for 2019-2023. The Council Plan reflected the goals and priorities of the new Administration, (which took office in May 2019) around enhancing the quality of life for residents, promoting and protecting the character of the District, delivering high quality cost effective services and growing the local economy.

The Joint Director then informed Members of the extensive consultation, which had taken place across the District, on the draft Council Plan. Council heard that a wide range of comments had been submitted as part of this consultation. These included comments on climate change, development within the District and combatting anti-social behaviour.

Council discussed the draft Council Plan. Questions were asked about how specific projects would fit into the Plan. One of the projects highlighted was the replacement for the Sharley Park Leisure Centre in Clay Cross.

At the conclusion of the discussion, Council indicated its support for the draft Council Plan.

RESOLVED - That Council approves and adopts the Council Plan 2019-2023, as appended to the report.

215 Draft Organisational Policies

Council considered a report of Councillor A Dale, Deputy Leader of the Council and Portfolio Holder for Council Services. The report sought approval of Council for organisational policies related to:

- Capability
- Probation
- Disclosure and Barring Services
- Learning and Development
- Smoke Free and Vaping

Members were informed that the trade unions had been consulted on the proposed policies and that they had been approved by the Joint Consultative Group (JCG).

Council discussed the proposed policies. In particular, Members discussed the grounds when Council staff would be able to request others to not smoke for a period of time before they visited them in their homes or properties.

The suggested approach being developed was outlined by the Human Resources and Organisational Development Manager.

RESOLVED – That the Draft Organisational Policies be approved

216 Chair's Urgent Business

There was no urgent business to be considered at this Council meeting.

North East Derbyshire District Council

Council

11 November 2019

Review of Polling Districts, Polling Places and Polling Stations

Report of the Joint Chief Executive

This report is public

Purpose of the Report

The report sets out proposals to consider and approve for the provision of Polling Districts, Polling Places and Polling Stations within North East Derbyshire Council area following a review undertaken in accordance with the Electoral Registration and Administration Act 2013.

1 Report Details

Background

- 1.1 The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary Polling Districts and Polling Places. This review has been undertaken in line with the compulsory review which must be started and completed between 1 October 2018 and 31 January 2020 (inclusive).
- 1.2 The Act requires that relevant authorities must:-
 - (a) seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practical in the circumstances.
 - (b) seek to ensure that as far as is reasonable and practical the polling places they are responsible for are accessible to electors including those who are disabled and when considering the designation of a Polling Place must have regard to the accessibility needs of disabled persons.
- 1.3 Any changes arising from this report will be implemented when the revised Register of Electors is published on 1 December 2019.
- 1.4 Council are reminded that a Review was undertaken in 2018 following the Local Government Boundary Commission for England's Review of Electoral Arrangements which saw a number of changes to District Wards, Polling Districts and revised Parish/Parish Ward electoral arrangements.

The Review Process

- 1.5 The publication of the Notice of Review was published on 16 August 2019 and the initial consultation period commenced on 19 August 2019 as required by legislation.
- 1.6 The consultation period sought representations from Electors, District Councillors, Members of Parliament, Parish and Town Councils, Political Parties and existing Polling Place contacts. The consultation documents were sent to all stakeholders, including District Councillors, Parish Councils, County Councillors, MPs, MEP's and other interested parties who have particular expertise in certain fields, for example disability access issues. All comments/submissions were required to be submitted by 20 September 2019. During this period, maps showing the Polling Districts and existing Polling Places were published on the Council's website. Following the initial consultation period, the Acting Returning Officer (ARO) published proposals for Polling Districts and Polling Places on 4 October 2019 with a further deadline of 18 October 2019 for receipt of public comments on the Acting Returning Officer comments and proposals.

Overview of the Review Process

- 1.7 The Council is responsible for the designation of Polling Districts and Polling Places and the Returning Officer is responsible for determining the number of Polling Stations within each Polling Place.
- 1.8 A Polling District effectively sub divides an electoral ward (where necessary) into smaller geographical areas for polling purposes.
- 1.9 A Polling Place is a building or area approved by the Council at which the electors in the relevant Polling District will be allotted to vote by the Returning Officer. The Polling Place must be an area in the District, unless special circumstances make it desirable to designate an area wholly or partly outside the District. (for example, if no accessible polling place can be identified in the District.)
- 1.10 When undertaking a review the Council is required to give due regard to the following considerations:-
 - It must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances;
 - It must seek to ensure that so far as is reasonable and practicable every Polling Place for which it is responsible is accessible to electors who are disabled;
 - Where possible the Polling Place should be in its own Polling District unless special circumstances make it desirable to designate an area wholly or partly outside the district (for example. If no accessible Polling Place can be identified in the District);
 - Where possible each parish (and each parish ward) should be a separate Polling District or Polling Districts;
- 1.11 The Review is a function of the Council and not the Electoral Registration Officer or Returning Officer and therefore this report is before the Council for consideration.

Consultation Responses

- 1.12 A total of 17 submissions were received during the initial consultation period. 11 of the 17 submissions were received supporting the continued use of the polling place/station.
- 1.13 As the Acting Returning Officer makes comments on the consultation responses – the responses have been spilt across the two Parliamentary constituencies that North East Derbyshire District covers.
- 1.14 The Acting Returning Officer's comments on each of these responses is set out below:-

North East Derbyshire Constituency

Ward: Barlow and Holmesfield

No.	Polling District	Polling Place /Polling Station	Submission
8	BD	Holmesfield Village Hall	Submission received in support of continued use of Holmesfield Village Hall

Ward: Brampton and Walton

No.	Polling District	Polling Place /Polling Station	Submission
9	CA	Cutthorpe Village Hall	Submission received in support of continued use of Cutthorpe Village Hall

Ward: Clay Cross North

No.	Polling District	Polling Place /Polling Station	Submission
19 and 20	DE and DF	Holmgate Darby and Joan Club	Submission received in support of continued use of Holmgate Darby and Joan Club

Ward: Coal Aston

No.	Polling District	Polling Place /Polling Station	Submission
26	FC	St Philips C of E Church	Submission received in support of continued use of St Philips C of E Church
27	FD	St Pauls Methodist Church	Submission received in support of continued use of St Pauls Methodist Church

Ward: Dronfield North

No.	Polling District	Polling Place /Polling Station	Submission
29	GB	St Pauls Methodist Church	Submission received in support of continued use of St Pauls Methodist Church

Ward: Dronfield South

No.	Polling District	Polling Place /Polling Station	Submission
32	HB	Hilltop Sports and Social Club	Submission received in support of continued use of Hilltop Sports and Social Club

Ward: Dronfield Woodhouse

No.	Polling District	Polling Place /Polling Station	Submission
34 and 35	IA and IB	William Levick Primary School	Submission received regarding not using the School – alternatives viewed and deemed not suitable for use. Comments: Primary School will be kept under review should an alternative suitable premises become available.

Ward: Grassmoor

No.	Polling District	Polling Place /Polling Station	Submission
48	MC	Grassmoor Primary School	Submission received regarding not using the School – no alternative premise within the Polling District. Comments: Primary School will be kept under review should an alternative suitable premises become available.

Ward: Holmewood and Heath

No.	Polling District	Polling Place /Polling Station	Submission
50	NE	St James The Apostle Church	Submission received in support of continued use of St James The Apostle Church

Ward: Ridgeway and Marsh Lane

No.	Polling District	Polling Place /Polling Station	Submission
62	UB	Ridgeway Village Hall and Sports Centre	Submission received in support of continued use of Ridgeway Village Hall and Sports Centre

Ward: Tupton

No.	Polling District	Polling Place /Polling Station	Submission
63	XA	Old Tupton Methodist Church Schoolroom	<p>Submission received proposing to merge XA and XB and vote at the same polling station.</p> <p>Comments: Old Tupton Methodist Church Schoolroom and Tupton Village Hall provide the most reasonable and convenient facilities for electors because they are closest to the electors in these Polling Districts. Moving to one Polling Station would mean that some electors would have further to travel when they are used to visiting a closer Polling Station and it may be impractical for some electors.</p>
64	XB	Tupton Village Hall	<p>Submission received proposing to merge XA and XB and vote at the same polling station.</p> <p>Comments: See XA</p>
65	XC	Mobile Station, Adlington Avenue	<p>Submission received proposing to merge XC and XD and vote at the same Polling Station.</p> <p>Comments: The Polling Stations of the Mobile Station and The Scout Hutt provide the most reasonable and convenient facilities for electors because they are closest to the electors in these Polling Districts. Moving to one Polling Station would mean that electors from XD would have further to travel when they are used to visiting a closer Polling Station and it may be impractical for some electors. In relation to the submission, neither the Council Offices nor Pioneer House is deemed to have</p>

			suitable accommodation for a Polling Station.
66	XD	The Scout Hutt	Submission received proposing to merge XC and XD and vote at the same Polling Station. Comments: See XC

Ward: Unstone

No.	Polling District	Polling Place /Polling Station	Submission
67	YA	Unstone Junior School	Submission received regarding not using the School – submissions received in support of Unstone Community Centre. Comments: The Community Centre has disabled access and parking facilities. However, there are concerns as to whether the Community Centre is convenient for pedestrians getting to and from the Polling Place. There are two main concerns one is that the pavement leading to the Community Centre down Crow Lane is on the opposite side of the road to the Community Centre and that the Community Centre is situated further away than the school for the majority of electors in Polling District YA. Notwithstanding the concerns, the submissions received support a change to Unstone Community Centre – therefore recommend change of polling station to Unstone Community Centre.

Bolsover Constituency

Ward: Holmewood and Heath

No.	Polling District	Polling Place /Polling Station	Submission
1	NA	St Albans Parish Centre	Submission received in support of continued use of St Albans Parish Centre

Ward: Pilsley and Morton Ward

No.	Polling District	Polling Place /Polling Station	Submission
6	QB	Parkhouse Primary School	Submission received objecting and initially proposing the possible alternative of The Pavilion. Comments: The Electoral Services Manager has visited The Pavilion and whilst it is a suitable venue it is too far away from the residential area of the electors. A submission included the proposed use of a portacabin but these are only used where no other suitable premise is available.
7	QC	Pilsley Village Hall	Submission received in support of continued use of Pilsley Village Hall

Ward: Shirland

11	VB	Shirland Primary School	Submission received regarding not using the School – no alternative suggested. Comments: The Electoral Services Team are not aware of any suitable premises within the Polling District.
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Ward: Sutton

16	WA	Calow Community Centre	Submission received in support of continued use of Calow Community Centre
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2 Conclusions and Reasons for Recommendation

Final proposals and schedule of revised Polling Districts and Polling Places

- 2.1 The Council is required to provide Polling Stations throughout its area for use at election time and they should be convenient and accessible for use by the electorate. The Returning Officer has the authority (contained within statute) to require schools to make themselves available for use as a Polling Station.
- 2.2 However, the Council has no such power in respect of private premises and can only request the use of privately owned facilities.
- 2.3 In an ideal world, electoral administrators would have the choice of a range of fully accessible buildings conveniently located for electors in the area. In the past the Council has used a mix of schools and private premises – where alternative premises exist in place of Schools, the Council has sought to move into the private premises.

- 2.4 Subject to approval of the final proposals schedule, it will be necessary to publish a revised schedule of Polling Districts and Polling Places together with the relevant maps. The schedule will be amended further to reflect any changes made by the Council before publication.

Completion of the Review

- 2.5 Once the Council has agreed the final proposal schedule, details of the Polling Districts and Polling Places must be made available to the public. This will be published on the Council's website and at the Council's Offices.

In addition, the Council must also publish:-

- All correspondence sent to the Acting Returning Officer in connection with the review or sent by the ARO to persons with particular expertise on access issues;
- All representations made by any person in connection with the review;
- The minutes of any meeting held by the Council;
- Details of where the results of the review have been published.

Appeals Process

- 2.6 Following the conclusion of the local authority's review, certain persons have the right to make representations to the Electoral Commission. If, on receipt of the representations, the Electoral Commission find that the review did not:-

- meet the reasonable requirements of the electors in the constituency or a body of them; or
- take sufficient account of the accessibility for disabled persons of a Polling Station/Polling Stations with a designated Polling Place

then the Commission may direct the Council to make any alterations to the Polling Places as they think necessary and if the alterations are not made within two months, make the alterations themselves.

3 Consultation and Equality Impact

- 3.1 In carrying out the Review of Polling Districts and Polling Places, the Council has undertaken a public consultation exercise and specifically sought out the views or comments from electors and any persons or bodies with expertise in access to premises or facilities for persons with any type of disability.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council has a statutory duty to revise Polling Districts and Polling Places in order to implement the outcome of the Review.
- 4.2 The completion of the review enables effective any changes to be made to the revised Register of Electors to be published on 1 December 2019.

5 Implications

5.1 Finance and Risk Implications

5.1.1 There are no financial implications arising from this report. The risk implications are contained within the report.

5.2 Legal Implications including Data Protection

5.2.1 The legal implications are contained within the report.

5.3 Human Resources Implications

5.3.1 The work in carrying out the Review and implementing any changes will be undertaken by the Electoral Services Team using existing resources.

6 Recommendations

6.1 That the Council approve the final proposals schedule setting out any changes to the designated Polling Districts and Polling Places.

6.2 The Chief Executive be requested to formally publish the Notice of Conclusion of the Review, its findings, the responses from consultees and all other relevant documentation and to write to any households where their polling station has changed in advance of any elections/referendums taking place including methods of alternative voting arrangements.

6.3 To note that the Electoral Registration Officer will incorporate any changes to the Polling Districts and Polling Places in the revised Register of Electors to be published on 1 December 2019.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>Has the relevant Portfolio Holder been informed?</p>	Yes
<p>District Wards Affected</p>	All indirectly
<p>Links to Corporate Plan priorities or Policy Framework</p>	All indirectly

8 Document Information

Appendix No	Title
1	Proposals Schedule
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
<p> </p>	
Report Author	Contact Number
Donna Jawad – Electoral Services Manager	217058

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS 2019
SCHEDULE OF CURRENT POLLING PLACES AND POLLING STATIONS – FINAL PROPOSALS

NORTH EAST DERBYSHIRE CONSTITUENCY

NO.	POLLING DISTRICT	POLLING PLACE/STATION	ELECTORATE 2019	PROPOSAL / COMMENTS
ASHOVER WARD				
1	AA	Ashover Parish Hall, Milken Lane, Ashover, Derbyshire, S45 0BA	917	Recommend for continued use and no change to Polling District
2	AB	Miners Arms Inn, Oakstedge Lane, Milltown, Ashover, Derbyshire, S45 0HA	167	Recommend for continued use and no change to Polling District
3	AC	Ashover Parish Hall, Milken Lane, Ashover, Derbyshire, S45 0BA	330	Recommend for continued use and no change to Polling District
4	AD	Uppertown Social Centre, Cullumbell Lane, Uppertown, Ashover, Derbyshire, S45 0LS	182	Recommend for continued use and no change to Polling District
BARLOW AND HOLMESFIELD WARD				
5	BA	Barlow Village Hall, Millcross Lane, Barlow, Derbyshire, S18 7TA	729	Recommend for continued use and no change to Polling District
6	BB	Holmesfield Village Hall, Vicarage Close, Holmesfield, Derbyshire, S18 7WZ	576	Recommend for continued use and no change to Polling District

7	BC	Cowley Mission Room, Cowley Lane, Holmesfield, Derbyshire, S18 7SD	94	Recommend for continued use and no change to Polling District
8	BD	Holmesfield Village Hall, Vicarage Close, Holmesfield, Derbyshire, S18 7WZ	185	Recommend for continued use and no change to Polling District
BRAMPTON AND WALTON WARD				
9	CA	Cutthorpe Village Hall, Main Road, Cutthorpe, Chesterfield, S42 7AJ	548	Recommend for continued use and no change to Polling District
10	CB	Wadshelf Village Hall, Main Road, Wadshelf, Derbyshire, S42 7JG	234	Recommend for continued use and no change to Polling District
11	CC	The Schoolroom, Main Road, Old Brampton, Chesterfield, Derbyshire, S42 7JG	207	Recommend for continued use and no change to Polling District
12	CD	Walton Village Centre, Walton Back Lane, Walton, Chesterfield, S42 7LT	622	Recommend for continued use and no change to Polling District
13	CE	Village Hall, Holymoore Road, Holymoorside, Chesterfield, S42 7DX	1207	Recommend for continued use and no change to Polling District
CLAY CROSS NORTH WARD				
15	DA	Clay Cross Social Centre, Market Street, Clay Cross, Chesterfield, S45 9JE	1107	Recommend for continued use and no change to Polling District
16	DB	Sharley Park Leisure Centre, Market Street, Clay Cross, Chesterfield, S45 9LX	1272	Recommend for continued use and no change to Polling District
17	DC	St Barnabas Centre, Pilsley Road, Danesmoor, Chesterfield, S45 9BU	203	Recommend for continued use and no change to Polling District

18	DD	Old Tupton Methodist Church Schoolroom, Nethermoor Road, New Tupton, Chesterfield, Derbyshire S42 6EN	635	Recommend for continued use and no change to Polling District
19	DE	Holmgate Darby & Joan Club, Valley Road, Holmgate, Chesterfield, S45 9QQ	1366	Recommend for continued use and no change to Polling District
20	DF	Holmgate Darby & Joan Club, Valley Road, Holmgate, Chesterfield, S45 9QQ	234	Recommend for continued use and no change to Polling District
CLAY CROSS SOUTH WARD				
22	EA	St Barnabas Centre, Pilsley Road, Danesmoor, Chesterfield, S45 9BU	1814	Recommend for continued use and no change to Polling District
23	EB	Community of Christ, Thanet Street, Clay Cross, Chesterfield, S45 9JS	1002	Recommend for continued use and no change to Polling District
COAL ASTON WARD				
24	FA	Coal Aston Village Hall, Eckington Road, Coal Aston, Derbyshire, S18 3AX	623	Recommend for continued use and no change to Polling District
25	FB	Coal Aston Village Hall, Eckington Road, Coal Aston, Derbyshire, S18 3AX	97	Recommend for continued use and no change to Polling District
26	FC	St Philips C of E Church, Falcon Road, Dronfield, Derbyshire, S18 2ED	1953	Recommend for continued use and no change to Polling District
27	FD	St Paul's Methodist Church, 85 Green Lane, Dronfield, Derbyshire S18 2LP	341	Recommend for continued use and no change to Polling District

DRONFIELD NORTH WARD				
28	GA	Church of the Holy Spirit, Stonelow Road, Dronfield, Derbyshire S18 2EP	994	Recommend for continued use and no change to Polling District
29	GB	St Paul's Methodist Church, 85 Green Lane, Dronfield, Derbyshire S18 2LP	1491	Recommend for continued use and no change to Polling District
30	GC	Church of the Holy Spirit, Stonelow Road, Dronfield, Derbyshire S18 2EP	354	Recommend for continued use and no change to Polling District
DRONFIELD SOUTH WARD				
31	HA	The Peel Centre, High Street, Dronfield, Derbyshire S18 1PX	1272	Recommend for continued use and no change to Polling District
32	HB	Hill Top Sports and Social Club, Longacre Road, Dronfield, Derbyshire S18 1UQ	1689	Recommend for continued use and no change to Polling District
33	HC	The Peel Centre, High Street, Dronfield, Derbyshire S18 1PX	1918	Recommend for continued use and no change to Polling District
DRONFIELD WOODHOUSE WARD				
34	IA	William Levick Primary School, Smithy Croft, Dronfield Woodhouse, Derbyshire, S18 8YD	1403	Recommend for continued use and no change to Polling District Note: the use of the School will be kept under review should an alternative suitable premise become available.

35	IB	William Levick Primary School, Smithy Croft, Dronfield Woodhouse, Derbyshire, S18 8YD	108	Recommend for continued use and no change to Polling District Note: the use of the School will be kept under review should an alternative suitable premise become available.
ECKINGTON NORTH WARD				
36	JA	Eckington Youth Centre, School Street, Eckington, Derbyshire, S21 4FL	2479	Recommend for continued use and no change to Polling District
37	JB	Eckington Civic Centre, Market Street, Eckington, Derbyshire, S21 4JG	593	Recommend for continued use and no change to Polling District
ECKINGTON SOUTH AND RENISHAW WARD				
38	KA	Eckington Youth Centre, School Street, Eckington, Derbyshire, S21 4FL	817	Recommend for continued use and no change to Polling District
39	KB	Birk Hill Infants School, Chestnut Avenue, Eckington, Derbyshire, S21 4BE	1271	Recommend for continued use and no change to Polling District
40	KC	Eckington Civic Centre, Market Street, Eckington, Derbyshire, S21 4JG	592	Recommend for continued use and no change to Polling District
41	KD	Renishaw Community Hall, Main Road, Renishaw, Sheffield S21 3UW	1838	Recommend for continued use and no change to Polling District
42	KE	Mount St Marys College, College Road, Spinkhill, Sheffield S21 3YL	162	Recommend for continued use and no change to Polling District

GOSFORTH VALLEY WARD				
43	LA	The Scout Hut, Gorsey Brigg, Off Pentland Road, Dronfield, Derbyshire, S18 8QZ	1682	Recommend for continued use and no change to Polling District
44	LB	The Scout Hut, Gorsey Brigg, Off Pentland Road, Dronfield, Derbyshire, S18 8QZ	1777	Recommend for continued use and no change to Polling District
45	LC	St Andrews Church Community Centre, Pentland Road, Dronfield Woodhouse, Derbyshire S18 8ZQ	1286	Recommend for continued use and no change to Polling District
GRASSMOOR WARD				
46	MA	The Three Cottages, 229 Mansfield Road, Hasland, Chesterfield, Derbyshire S41 0JJ	100	Recommend for continued use and no change to Polling District
47	MB	The Three Cottages, 229 Mansfield Road, Hasland, Chesterfield, Derbyshire S41 0JJ	213	Recommend for continued use and no change to Polling District
48	MC	Grassmoor Primary School, North Wingfield Road, Grassmoor, Chesterfield, S42 5EP	1342	Recommend for continued use and no change to Polling District Note: the use of the School will be kept under review should an alternative suitable premise become available.
49	MD	Grassmoor Community Centre, New Street, Grassmoor, Chesterfield, S42 5EE	1225	Recommend for continued use and no change to Polling District

HOLMEWOOD AND HEATH WARD				
50	NE	St James the Apostle Church, Church Lane, Temple Normanton, Chesterfield, Derbyshire S42 5DB	370	Recommend for continued use and no change to Polling District
KILLAMARSH EAST WARD				
51	OA	Killamarsh Sports Centre, Stanley Street, Killamarsh, Sheffield, S21 1EL	780	Recommend for continued use and no change to Polling District
52	OB	The Children's Centre, Killamarsh Infant and Nursery School, Sheffield Road, Killamarsh, Sheffield S21 2DX	1079	Recommend for continued use and no change to Polling District
53	OC	Killamarsh Sports Centre, Stanley Street, Killamarsh, Sheffield, S21 1EL	1118	Recommend for continued use and no change to Polling District
KILLAMARSH WEST WARD				
54	PA	St Giles Church Hall, Sheepcote Road, Killamarsh, Sheffield, S21 1DU	3603	Recommend for continued use and no change to Polling District
55	PB	Killamarsh Sports Centre, Stanley Street, Killamarsh, Sheffield, S21 1EL	689	Recommend for continued use and no change to Polling District
NORTH WINGFIELD CENTRAL				
56	RA	North Wingfield Community Resource Centre, Whiteleas Avenue, North Wingfield, Chesterfield, S42 5PW	1124	Recommend for continued use and no change to Polling District

57	RB	North Wingfield Community Resource Centre, Whiteleas Avenue, North Wingfield, Chesterfield, S42 5PW	1400	Recommend for continued use and no change to Polling District
58	RC	North Wingfield Community Resource Centre, Whiteleas Avenue, North Wingfield, Chesterfield, S42 5PW	683	Recommend for continued use and no change to Polling District
59	RD	Hepthorne Lane Community Centre, New Street, Hepthorne Lane, North Wingfield, Chesterfield, S42 5JP	1113	Recommend for continued use and no change to Polling District
60	RE	Abundant Life Christian Centre, Tibshelf Road, Holmewood, Chesterfield, Derbyshire S42 5TA	252	Recommend for continued use and no change to Polling District
RIDGEWAY AND MARSH LANE WARD				
61	UA	Green Lawns Community Centre. Warren Walk, Marsh Lane, Sheffield S21 5RX	783	Recommend for continued use and no change to Polling District
62	UB	Ridgeway Village Hall and Sports Centre, Main Road, Ridgeway, Derbyshire, S12 3XR	646	Recommend for continued use and no change to Polling District
TUPTON WARD				
63	XA	Old Tupton Methodist Church Schoolroom, Nethermoor Road, New Tupton, Chesterfield, Derbyshire S42 6EN	653	Recommend for continued use and no change to Polling District
64	XB	Tupton Village Hall, Green Lane, New Tupton, Chesterfield, S42 6XW	2007	Recommend for continued use and no change to Polling District

65	XC	Mobile Station, Adlington Avenue, Wingerworth, Chesterfield.	655	Recommend for continued use and no change to Polling District
66	XD	The Scout Hutt, Next to Church Centre, Longedge Lane, Wingerworth, Chesterfield, S42 6PB	595	Recommend for continued use and no change to Polling District
UNSTONE WARD				
67	YA	Unstone Junior School, Main Road, Unstone, Derbyshire, S18 4AB	942	Recommend use of Unstone Community Centre for future elections/referendums and no change to Polling District
68	YB	Moorland View Club, Moorland View Road, Apperknowle, Derbyshire, S18 4BL	364	Recommend for continued use and no change to Polling District
69	YC	Green Lawns Community Centre. Warren Walk, Marsh Lane, Sheffield S21 5RX	135	Recommend for continued use and no change to Polling District
WINGERWORTH WARD				
70	ZA	Parish Rooms, New Road, Wingerworth, Chesterfield, S42 6TB	3252	Recommend for continued use and no change to Polling District
71	ZB	The Scout Hutt, Next to Church Centre, Longedge Lane, Wingerworth, Chesterfield, S42 6PB	782	Recommend for continued use and no change to Polling District
72	ZC	Parish Rooms, New Road, Wingerworth, Chesterfield, S42 6TB	214	Recommend for continued use and no change to Polling District

BOLSOVER CONSTITUENCY
POLLING STATIONS

NO.	POLLING DISTRICT	POLLING PLACE/STATION	ELECTORATE 2019	PROPOSAL / COMMENTS
HOLMEWOOD AND HEATH WARD				
1	NA	St Albans Parish Centre, Heath Road, Holmewood, Derbyshire, S42 5RB	1673	Recommend for continued use and no change to Polling District
2	NB	Heath Village Hall, Main Street, Heath, Chesterfield, Derbyshire, S44 5RX	227	Recommend for continued use and no change to Polling District
3	NC	Heath Primary School, Slack Lane, Heath, Chesterfield, Derbyshire, S44 5RH	414	Recommend for continued use and no change to Polling District
4	ND	Abundant Life Christian Centre, Tibshelf Road, Holmewood, Chesterfield, Derbyshire S42 5TA	335	Recommend for continued use and no change to Polling District
PILSLEY AND MORTON WARD				
5	QA	The Rectory Rooms, Church Lane, Morton, Chesterfield, Derbyshire DE55 6GU	1046	Recommend for continued use and no change to Polling District

6	QB	Parkhouse Primary School, Rupert Street, Lower Pilsley, Chesterfield, Derbyshire S45 8DB	925	Recommend for continued use and no change to Polling District Note: the use of the School will be kept under review should an alternative suitable premise become available.
7	QC	Pilsley Village Hall, Pear Tree Road, Pilsley, Chesterfield, Derbyshire S45 8HU	1828	Recommend for continued use and no change to Polling District
8	QD	Stretton Village Hall, Main Road, Stretton, Derbyshire DE55 6EW	210	Recommend for continued use and no change to Polling District
9	QE	Stretton Handley C of E School, Beresford Lane, Woolley Moor, Alfreton, Derbyshire, DE55 6FH	280	Recommend for continued use and no change to Polling District
SHIRLAND WARD				
10	VA	Brackenfield Church Hall, Church Lane, Brackenfield, Alfreton, DE55 6AQ	176	Recommend for continued use and no change to Polling District
11	VB	Shirland Primary School, Park Lane, Shirland, Alfreton, DE55 6BH	819	Recommend for continued use and no change to Polling District
12	VC	Shirland Village Hall, Main Road, Shirland, Alfreton, DE55 6BB	953	Recommend for continued use and no change to Polling District
13	VD	Mickley Community Centre, Tennyson Street, Mickley, Derbyshire DE55 6GJ	641	Recommend for continued use and no change to Polling District

14	VE	Stonebroom Community Centre, Quarry Lane, Stonebroom, Derbyshire DE55 6LJ	1478	Recommend for continued use and no change to Polling District
15	VF	Christ Church, Matlock Road, Wessington, Derbyshire DE55 6DP	584	Recommend for continued use and no change to Polling District
SUTTON WARD				
16	WA	Calow Community Centre, Allpits Road, Calow, Chesterfield, Derbyshire S44 5AT	1953	Recommend for continued use and no change to Polling District
17	WB	Mobile Station at the Arkwright Arms, Chesterfield Road, Duckmanton, Chesterfield, Derbyshire S44 5JG	533	Recommend for continued use and no change to Polling District
18	WC	The Arkwright Centre, Hardwick Drive, Arkwright Town, Chesterfield, Derbyshire S44 5BS	783	Recommend for continued use and no change to Polling District

NE Derbyshire District Council

Council

11 November 2019

Draft Organisational Policy

Report of Councillor Alex Dale, Deputy Leader and Portfolio Holder for Council Services

This report is public

Purpose of the Report

- For the following policy to be brought to Council for consideration:
 - Mileage and Related Travel Expenses

1 Report Details

- 1.1 Please find attached the final version of the Mileage and Related Travel Expenses policy for consideration.
- 1.2 The purpose of the policy is to:
 - To make processes simpler and clearer for managers and employees
 - To fit the corporate context and supportive work environment the Council has in place
 - To ensure adherence to legislation and best practice
- 1.3 HR have been working with managers and the Trade Unions to regularly review working practices to ensure the organisation's policies are fit for purpose and continue the ethos of being a supportive employer.
- 1.4 The policy has been approved by SAMT and been with the Trade Unions for their comments from 14 August 2019 and Service Managers from 14 August 2019.
- 1.5 The policy was approved at Joint Consultative Group on 25 September 2019. An extract of the minute note from the meeting is attached at **Appendix 1**.

2 Conclusions and Reasons for Recommendation

- 2.1 Approval of the attached policy will provide clear direction for managers when undertaking people management processes, delivering high performing services and supporting employees and other stakeholders in the workplace.
- 2.2 Agreement to the policy fulfils both legal and best practice guidance for employers.

3 Consultation and Equality Impact

- 3.1 There are no equality implications arising from the implementation of this policy. The policy supports corporate equality and diversity aims.
- 3.2 The policy is being submitted to Council for consultation purposes.

4 Alternative Options and Reasons for Rejection

- 4.1 The alternative option is not to have this policy which has been rejected on the grounds of risk to the Council of failing to fulfil legal obligations and best practice.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 The financial implications arising from approval of the policy will be met from existing budgets.

5.2 Legal Implications including Data Protection

- 5.2.1 There are no direct legal implications arising from the approval of the policy.

5.3 Human Resources Implications

- 5.3.1 The HR implications are contained within the policy.

6 Recommendations

- 6.1 That Council support the Mileage and Related Travel Expenses Policy.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>Has the relevant Portfolio Holder been informed</p>	Yes
<p>District Wards Affected</p>	N/A
<p>Links to Corporate Plan priorities or Policy Framework</p>	Transforming our organisation. Provide our customers with excellent service.

8 Document Information

Appendix No	Title
1	Extract from JCG Minutes
2	Mileage and Related Travel Expenses Policy
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
Report Author	Contact Number
Sara Gordon - HR & OD Manager	01246 217677

COUNCIL JOINT CONSULTATIVE GROUP

25 SEPTEMBER 2019

MINUTE EXTRACT NO Jt/14 – DRAFT ORGANISATIONAL POLICIES

Jt/14 Employer's Side Submissions

(a) Draft Organisational Policies

The HR and OD Manager presented a report that outlined the draft Organisational Policies. The Council Joint Consultative Group had been asked to consider the Mileage and Related Travel Expenses Policy.

The Group noted that the new Policy had been drafted to make it easier for managers and employees to understand, and that the Policy had been out for consultation and had been approved by SAMT. If the Policy was to be supported by the Council Joint Consultative Group it would then be taken to Council.

RESOLVED – That the Council Joint Consultative Group supports the Mileage and Related Travel Expenses Policy.



Mileage & Related Travel Expenses Policy

NEDDC

November 2019



North East
Derbyshire
District Council

We speak your language

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

Hablamos su idioma

Slovak

Rozprávame Vaším jazykom

Chinese

我们会说你的语言

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large print or another
format please call us on
01246 231111

CONTROL SHEET FOR MILEAGE AND RELATED TRAVEL EXPENSES POLICY

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	NEDDC Mileage and Related Travel Expenses Policy
Current status – i.e. first draft, version 2 or final version	Final Draft
Policy author (post title only)	Sara Gordon
Location of policy (whilst in development) – i.e. L-drive, shared drive	S Drive HR folder
Relevant Cabinet Member (if applicable)	Cllr Dale
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	N/A
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	SAMT JCG Council
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

NEDDC MILEAGE AND RELATED TRAVEL EXPENSES POLICY

Official travel must always be conducted in an economical manner and alternative means such as telephone/video conferencing, public transport, pool cars etc must be considered as a first option. This approach supports the Council's Climate Change and Transformation Agendas.

To meet business needs and to deliver excellent services to our residents, employees are required to work at any place of employment in the service of the Council. Therefore, travel and submission of related expenses will occur on a regular basis for some members of the workforce.

The Mileage and Related Travel Expenses Policy sets out the process to be followed by all employees. This policy document supersedes any previous mileage and related travel expenses policies or procedures in place previously at NEDDC.

Payment of mileage and related travel expenses will be made with salary.

1. Employee Responsibilities

- It is the responsibility of the employee to be fully conversant with this policy for Mileage and Related Travel Expenses.
- All employees should be fully aware of and have read and understood the terms and conditions of the Council's Driving at Work Policy.
- Employees have a responsibility to ensure any journey undertaken is essential to business operations and the cost to the Council is kept to a minimum. Employees are expected to co-ordinate work activities and travel to ensure value for money and to reduce the costs and time implications incurred.
- Employees must only submit claims for their own travel expenses and payment should only be claimed for journeys actually undertaken.
- Employees must provide the following details on a mileage claim form
 - Date of journey
 - Start location
 - Locations visited
 - End location
 - Reason for the journey
 - Total business mileage incurred
- Employees must provide sufficient and reasonable detail on their claim form to enable their Manager/Authorising Officer to fully consider and assess the claim.
- Employees using their cars on official Council business must:

- Possess a current full valid driving licence for the vehicle they are driving
 - Ensure the vehicle is in a roadworthy condition prior to the commencement of and during the journey
 - Ensure the vehicle has a current MOT certificate, where appropriate
 - Possess business use insurance for the vehicle
 - Provide the original copies of the above documents to their line manager on an annual basis (See Appendix One)
- Where it is appropriate for an employee to use their private vehicle, business mileage must be conducted in accordance with the Road Traffic Act in conjunction with the Highway Code and any current legislation.

2. Manager/Authorising Officer's Responsibilities

- It is the responsibility of the Manager/Authorising officer to be fully conversant with this policy prior to any claim being made.
- Managers/Authorising officers will be required to review, check and authorise claims ensuring the claim is accurate to the best of their knowledge as far as reasonably possible and the journey has been necessarily incurred.

3. What Mileage and Related Travel Costs can Employees Claim?

- Any business mileage incurred based on the shortest route, and where the corporate standard mileages have been established, these must be used and can be found at Appendix Two.
- Any reasonable parking fees etc, incurred during the journey will be reimbursed. Receipts should be retained in support of any claim.

4. What Mileage and Related Travel Costs cannot be Claimed?

- Any home to work mileage and work to home mileage i.e. commuter mileage
The Council is not responsible for the cost incurred by an officer in travelling to and from home to work because an individual is free to choose their residence and is expected to meet any expense in travelling between home and his/her place of work *
- If travelling to a different site from home, normal home to work mileage must be deducted. For example, if attending a training course in Leeds (north of both Districts), normal commuter mileage from home to Arc for joint officers would have to be deducted, if travelling by car.
- If employees choose to take a longer route through personal choice/convenience e.g. to avoid motorway driving, the employee must only claim for the actual shortest distance between locations.

- Fixed penalty parking fines, fixed penalty notices, driving endorsements and associated costs etc, are the sole responsibility of the employee.

5. *Travel from Home Outside Contracted Working Hours

Where a journey in the course of duty starts and ends at home because of work outside of normal contractual hours, or there is a requirement to return to work after a normal days work, the mileage to be claimed is the actual mileage from and return to home. This mileage is taxable and must be recorded separately. In these circumstances employees can claim the travel time. Employees with no fixed work base should check the arrangements with their Line Manager who must consult with HR or Payroll.

6. Journeys which Start at Home

If an employee's journey to a temporary workplace for the day such as a training course at an external site starts from home, mileage can be claimed. However, employees must deduct their **normal home to work mileage (from the closest available place of work)** from the home to temporary workplace journey. If the journey is **greater** than the normal home to work commute, employees should only claim for the difference. If the journey is **less** than the normal home to work commute, no claim should be made. An employee cannot turn their normal commute into a business journey by merely arranging an appointment on the way; HMRC expect an employee to demonstrate the appointment was necessary and not a matter of convenience. For example, if the HR & OD Manager (joint officer) is undertaking a training a course in York, the normal journey from home to the Arc must be deducted, as the training is north of both Districts.

7. Journeys which End at Home

The same applies for journeys where employees do not return to their workplace following their last visit and go straight home. If the journey is **greater** than the normal work to home commute (**from the closest available place of work**), employees should only claim for the difference. If the journey is **less** than the normal work to home commute, no claim should be made. An employee cannot turn their normal commute into a business journey by merely arranging an appointment on the way home; HMRC expect an employee to demonstrate the appointment was necessary and not a matter of convenience. For example, if the HR & OD Manager (joint officer) is undertaking a home visit in South Normanton, no claim could be made, as this is classed as a place of work reflective of the job role.

It is important to note employees are required to work at any place of employment in the service of the Council, this includes undertaking site visits which would be classed as a place of work

8. Homeworking

During home working (i.e. if contracted to work at home), mileage will be payable on business journeys from home to work site subject to this not exceeding the mileage which would have been incurred to these sites from the closest available workplace.

It will be necessary for the manager and the employee to agree the detail of this in advance in each individual case in consultation with HR.

9. Agile/Flexible Working

As our workforce becomes more flexible, many employees find they have the benefit of a flexible working arrangements including agile working. In these circumstances, it is important and expected that all employees (in conjunction with their line manager) manage their travel efficiently and limit it, and any claims, as far as reasonably possible. This ensures employees work within the spirit of agile working and the increasing flexibility this brings to the individual. If an employee **chooses** to travel to other locations (other than their closest available workplace) as part of agile working, HMRC will consider this as personal convenience and no claims can be made.

10. Mileage Distances between Locations (Shortest Distances Principal)

The corporate mileage guidance table is available on the S Drive (HR & Payroll folder) and the Extranet. This has been developed using three different routes for the journey and taking the average mileage to give an accurate and consistent mileage distance as possible. The spirit within which Local Government policies work is to shortest distance rather than shortest time.

It is appreciated there may be rare occasions e.g. due to traffic accidents, adverse weather conditions etc, when it may not be possible for the shortest route to be taken. Such instances must be appropriately identified when making a claim. This must be discussed with and authorised by an employees' line manager prior to submitting a claim.

11. How and When to Make a Mileage Claim

All claims for mileage should be submitted via HR21 or for those with no access to a PC via completion of a mileage claim form at the end of each calendar month and authorised as appropriate. Claims should be submitted on a monthly basis and must be submitted within three calendar months of undertaking the journey. A late claim will not be paid. A guide on how to record mileage/travel claims is included in the HR21 Guidance on the Extranet or S Drive.

12. When will a Payment for Mileage not be made?

The Council reserves the right to refuse to meet the whole or part of claims in respect of unreasonable expenses or expenses which could have been avoided had the journey been better planned.

The Council will withhold payment of any claim until an employee satisfies the requirement to provide the relevant documentation as outlined in this policy e.g. insurance documents.

All required documents must be provided within 28 calendar days of request. Failure to provide all documents within this timeframe will result in the following action being taken until the appropriate documents are provided:

- cessation of payment of any monthly allowance
- the employee will not be permitted to use their vehicle to carry out any council business journeys, and:
- non-payment of any mileage claims.

Allowances and payments will not be back-dated if reinstated at a later date.

Please note employee's failure to perform faithfully the duties specified in their contract of employment and follow a reasonable management instruction will be dealt with under the Council's Disciplinary Policy.

13. Joint Officers or Employees with Multiple Bases

Employees are required to work at any place of employment in the service of the Council/s.

If employee's work across two Councils or have multiple bases, only journeys undertaken during the working day can be claimed. This does not include home to work mileage/time and work to home mileage/time. Employees are not able to claim home to work mileage/time, i.e. travel to and from first location and last location, they can only claim travel/time during the day and only if the travel is necessary i.e. to attend a meeting etc.

For example, if an employee works from multiple locations such as The Arc, Mill Lane Offices, Depots, Contact Centres, Business Centres, Leisure Centres etc. Any available workplace is classed as an employees' place of work for that day. No journey mileage/time to or from home/work can be claimed. Site visits are considered as places of work and the above policy is applied accordingly.

14. What if I change my Vehicle?

If an employee changes their car then they will need to complete the "Change of Vehicle" form available on S Drive or from Payroll.

15. When will I receive Payment for Mileage and related Travel Expenses?

Claims made electronically will be processed and paid within the next available salary payment. Claims submitted on paper forms will be processed and paid as soon as possible and no later than with the salary for the month following the submission of the form.

16. Mileage Rates

All journeys are paid at the appropriate mileage rate applicable for that car user. Employees must ensure the journeys claimed are accurate and reflect the Council's policy and practice. For example, commuter mileage must not be claimed

NEDDC

NJC Lowest Band

NJC Essential User Allowance (exceed 1,500 miles p.a. pro-rata)

Lump sum £846

per mile first 36.9p
8,500

per mile after 13.7p
8,500

NJC Casual User Allowance

per mile first 46.9p
8,500

Public transport rate is 16.4p per mile and is applicable at the Councils.

17. Qualification Courses/Training

If an employee travels to an approved qualification course or exam at an external site, you can claim travel expenses for any miles travelled over and above your normal journey to the closest available workplace, paid at public transport mileage rate. Employees can claim other reasonable costs subject to the provisions of the Learning and Development scheme.

18. Public Transport

The same principles identified above apply to employees who incur travel fares in the course of undertaking their duties. Where alternative means of public transport exist (e.g. bus or rail) the most suitable in terms of cost and time should be used and claimed accordingly. Cheap rate fares should be used where possible.

19. Rail Travel

All employees will travel standard class unless a less costly fare is available. Where possible, tickets should be purchased in advance.

20. Taxi Fares

The cost of hiring a taxi will only be reimbursed where it is absolutely necessary and in the interests of the Council, or where it is otherwise reasonable e.g. if public transport is not available. Receipts are required.

21. Monitoring and Administration of Mileage and Related Travel Claims

Payroll are responsible for administering the scheme. Advice in relation to mileage and related claims may be sought from Payroll or HR. In any matter relating to the scheme, the decision of the Payroll Manager and HR & OD Manager, in consultation with a representative from the Strategic Alliance Senior Management Team, is final.

Abuse of travel/mileage allowances and failure to follow the policy will be dealt with under the disciplinary procedure. Please note the submission of false or fraudulent mileage claims or related travel expenses is considered gross misconduct.

HR & OD Manager & Payroll Manager June 2019

Appendix One - Annual Documents Check Responsibilities

Employees using their cars on official Council business must provide original copies of the following documents to their manager on an annual basis or whenever a vehicle is changed or any other related changes occur:

- Full Driving Licence
- MOT Certificate
- Insurance Documents covering the employee for Business Use Insurance

In order to undertake the driving licence check the employee is required to visit the following website <https://www.gov.uk/view-driving-licence> in order to generate the check code.

The Manager/Authorising Officer checking the licence should go to <https://www.gov.uk/check-driving-information> and use the check code provided by the employee to view the employee's licence information.

Managers should then complete the Employee Driving on Council Business Checklist Record online form available under Do it Online on the Extranet, which will be sent direct to the Payroll Team as a record the Manager has undertaken the check.

Managers are not required to keep copies of the original documents seen.

Endorsements/Convictions

Employees must inform their manager immediately if they receive points on their licence, any other penalty in relation to driving or any health condition or reason that relates to driving a vehicle. If an employee has six points or more on their Licence or another similar penalty or concern arises, the frequency of the document checks should increase to every six months.

The above ensures the Council is compliant with it's own insurance arrangements and is based on guidance from the Finance Team.

Appendix Two NEDDC Mileage Guidance Table	Clowne S43 4JY	Doe Lea S44 5NY	Mill Lane S42 6NG	Shirebrook CC NG20 8AW	South Normanton CC DE55 2AA	Bolsover CC S44 6HR	Pleasley Vale NG19 8RL	Tangent B Park NG20 8RX	Dronfield SC S18 1PD	Sharley Park S45 9LX	Eckington Pool S21 4DA	Eckington Depot S21 4HL	Pioneer House S42 6NT	Coney Green S45 9JW	Derbyshire Dales DE4 3NN
Clowne S43 4JY	0	8	10.5	7.5	14	4	8.5	9.5	12	12.5	5	5.5	10.5	12	18
Doe Lea S44 5NY	8	0	6.5	5.5	9.5	4	4	6	14	5	10.5	11	6.5	5	13.5
Mill Lane S42 6NG	10.5	6.5	0	5.5	9	7.5	11	12.5	11	3.5	9.5	10.5	0	3.5	9
Shirebrook CC NG20 8AW	7.5	5.5	5.5	0	12.5	5	3.5	1	18.5	10.5	12	12.5	13.5	11	18.5
South Normanton CC DE55 2AA	14	9.5	9	12.5	0	11.5	9.5	11.5	21.5	7.5	17.5	17.5	9	7.5	11.5
Bolsover CC S44 6HR	4	4	7.5	5	11.5	0	6	5.5	13	7.5	7.5	8	8.5	7.5	15
Pleasley Vale NG19 8RL	8.5	4	11	3.5	9.5	6	0	4	18.5	9	14	14.5	12	9	17
Tangent B Park NG20 8RX	9.5	6	12.5	1	11.5	5.5	4	0	19.5	11	13	13	14	11	18.5
Dronfield SC S18 1PD	12	14	11	18.5	21.5	13	18.5	19.5	0	14.5	6	6.5	10.5	14.5	17
Sharley Park S45 9LX	12.5	5	3	10.5	7.5	7.5	9	11	14.5	0	12	13	4.5	0.5	8.5
Eckington Pool S21 4DA	5	10.5	9.5	12	17.5	7.5	14	13	6.5	12	0	1	10	13	16.5
Eckington Depot S21 4HL	5.5	10.5	10.5	12.5	17.5	8	14.5	13	6.5	13	1	0	10.5	13.5	19
Pioneer House S42 6NT	10.5	6.5	0	13.5	9	8.5	12	14	10.5	4.5	10	10.5	0	5	8.5
Coney Green S45 9JW	12	5	3.5	11	7.5	7.5	9	11	14.5	0.5	13	13.5	5	0	8.5
Derbyshire Dales DE4 3NN	18	13.5	9	18.5	11.5	15	16.5	18.5	17	8.5	16.5	17	8.5	8.5	0

North East Derbyshire District Council

Council

11 November 2019

LGPS Pension Discretions 2019

**Report of Councillor Alex Dale, Deputy Leader of the Council and Portfolio Holder
for Council Services**

Purpose of the Report

- To consider the proposed policy and approach on the discretions the Council has to make, publish and review under the Local Government Pension Scheme.

1 Report Details

- 1.1 A series of changes has been made to the discretions applicable to the Local Government Pension Scheme (LGPS). These changes to the pension arrangements took place with effect from 1 April 2014. Under the LGPS regulations, employers are required to formulate, publish and keep under review a policy statement in relation to the exercise of a number of discretions that are available.
- 1.2 The report sets out an update on the decisions that are needed to ensure the Council has procedures in place to deal with the various discretions.
- 1.3 Whilst the common aspect in the Council's current LGPS discretionary policies is that generally the discretion will not apply, it is necessary to allow for this general approach to be varied should the circumstances of a particular case make this stance inappropriate. When making such decisions, each case will be considered on its own merits and full reasons will be given for the outcome.
- 1.4 The process for pension discretion applications is as follows:
- Initial applications considered by the Chief Financial Officer who is the named person with respect to the pension fund, (or the appropriate Joint Strategic Director in any case where there is a conflict of interest) .
 - Where the Chief Financial Officer is of the view that it is appropriate to consider a discretionary award, a report is presented to Council recommending that a corresponding budgetary provision is established.
 - Where the Chief Financial Officer does not support an application then no report will be taken.
 - Where the individual making the application is not satisfied with the decision of the Chief Financial Officer they may appeal to the Council. An Appeal should be made in the first instance to the Chief Executive.

- It is proposed that appeals will be dealt with by the Appeals Committee in accordance with the Council's Constitution. The employee/former employee concerned will be allowed to submit a written statement of case while the Chief Financial Officer will provide a written statement setting out the reasons why the application should be rejected.

1.5 Attached at **Appendix 1** is the list of discretions for which employers must consider in a policy statement under the Scheme. The Council's proposed position is based on the discretions approved by Derbyshire County Council.

2 Conclusions and Reasons for Recommendation

2.1 Due to ongoing strains on the Pension Fund and wider budgetary pressures, the position of the Council has been that discretions only be applied generally where this does not involve additional strain on the pension fund or additional cost to the Council. The LGPS guidance advises that policies should not lead to "a loss of public confidence in the public service and therefore be affordable.

2.2 The Council's policy is generally in line with that adopted by Derbyshire County Council, while the overall approach is consistent with that of other local authorities.

2.3 Whilst the general approach is not to exercise any discretion where there is a cost to the Council, there may be some circumstances where this approach is too restrictive and the discretionary powers need further consideration. Whenever such circumstances arise, the case would firstly be considered by the Chief Financial Officer and if appropriate budgetary provision would be recommended to Council. Where the decision is not to vary the standard policy the individual would have a right to appeal to Council.

3 Consultation and Equality Impact

3.1 The purpose of this report is to consult Council on the updated pension discretions and a copy of this report has been circulated to the Trade Unions.

4 Alternative Options and Reasons for Rejection

4.1 Given all alternatives would potentially incur significant additional costs to the Council it is not considered appropriate to exercise any discretions as a matter of policy as this is considered to be an unfair burden on local taxpayers. The Council will, however, where requested review individual cases on their merits and may exercise discretion where appropriate

5 Implications

5.1 Finance and Risk Implications

5.1.1 All of the proposed responses to the discretions under the LGPS are made on the basis of no additional costs being incurred. The financial impact of any exercise of discretions in individual cases will be considered as such cases arise.

5.2 Legal Implications including Data Protection

5.2.1 As covered within the report.

5.3 Human Resources Implications

5.3.1 As covered within the report.

6 Recommendations

6.1 That Council consider and approve the report and proposals, and agree to the publication of the Council's position in respect of its discretions under the LGPS.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	N/A
Links to Corporate Plan priorities or Policy Framework	Transforming our Organisation

8 Document Information

Appendix No	Title	
1	LGPS Pension Discretions	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)		
N/A		
Report Author		Contact Number
Sara Gordon – HR & OD Manager		01246 217677

AGIN 10(b) (COUNC 1111) 2019 – LGPS Discretions

Appendix 1

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

EXTRACT OF CABINET MINUTES OF 11 JUNE 2014

MINUTE NO 82 – URGENT BUSINESS (PUBLIC SESSION) LOCAL GOVERNMENT PENSION SCHEME DISCRETIONS 2014

82 Urgent Business (Public Session)

Cabinet agreed to consider the following item of business in the public session of their meeting.

Cabinet considered Report No NB/05/14/TM – Local Government Pension Scheme Discretions 2014. The purpose of the report was to:-

- Consider the proposed policy on those discretions which the Council has to make, publish and keep under review under the Local Government Pension Scheme following new Regulations.
- Consider delegating the authority to vary the general policy where individual circumstances dictate that considering a variation to the standard policy may be appropriate.
- Consult on the approach where consideration to vary a standard policy is appropriate.
- Consider the approach where a decision to vary the standard policy may be inappropriate.

Reason for Urgency

Cabinet agreed to consider the report as a matter of urgency as the Council was required to have a Local Government Pension Scheme Discretions 2014 in place by 30 June 2014. Unfortunately this had proved a complex matter and it had taken some time to prepare the Scheme. Nonetheless it remained necessary to have a Scheme in place by the due date and this Cabinet meeting was the only opportunity to have the arrangements agreed formally, therefore the matter was urgent.

Cabinet was advised that a new Local Government Scheme had been introduced and changes to pension arrangements had taken place with effect from 1 April 2014. Under the Pension Scheme Regulations employers were required to formulate, publish and keep under review a Policy Statement in relation to the exercise of a number of discretions that were available. The Policy Statement was to be in place by 30 June 2014. In addition to producing a new Policy Statement in respect of certain discretions available in the 2014 Scheme it was necessary to draw up a separate list of discretions which may still apply in respect of leavers after 31 March 2008 and before April 2014. Some discretions available prior to 2014 had been removed and others had been replaced and this necessitated updating the Council's Policy Statement on Discretions. The Council's existing discretions relating to the Compensation Regulations were not affected by the report submitted.

A common aspect of the Council's current Pension Scheme Discretions Policy was that generally the discretions would not apply but it was necessary to allow for this general approach to be varied should circumstances of a particular case make this stance inappropriate. When making such decisions each case would be considered on its own

merits and full reasons would be given for the outcome. The initial application would be directed to the Chief Financial Officer (Executive Director – Operations) who would take a view if it was appropriate to consider a Discretionary Award and then a report would be taken to Cabinet recommending a corresponding budgetary position be established. In a case where the Chief Financial Officer did not support such an application the individual making the application, if they were not satisfied with the decision, could appeal to Cabinet for a view of that decision. Such an appeal would be made in the first instance to the Chief Executive who would arrange for a report to be taken to Cabinet. The employee/former employer concerned would be allowed to submit a written Statement of Case while the Chief Financial Officer would provide a written statement setting out the reasons why the application should be rejected.

Attached as Appendix 1 to the report was a list of discretions for which employers must consider in a Policy Statement made under the 2014 Scheme. The Council's proposed position was based on the Discretions approved by Derbyshire County Council.

Cabinet was advised that the matter had been considered by the Council JCG who had established a Working Group to consider the detail. The Working Group had met and agreed to the approach detailed in the report.

RESOLVED That Cabinet:-

- (1) Approves the Council's Policy Statement in respect of the discretions under the Local Government Pension Scheme 2014 as detailed in **Appendix G** to these Minutes.
- (2) Delegates authority to the Chief Financial Officer to make an assessment of applications received to vary the general approach to the exercise of the discretions under the Local Government Pension Scheme and to report to Cabinet requesting its approval of budgetary provision if appropriate.

Reasons for Decisions

- (1) The position of this Council on the Local Government Pension Scheme Discretions 2014 is that discretions will only be applied where this does not involve additional strain on the pension fund or additional cost to the Council.
- (2) The Council's policy is generally in accordance with that adopted by Derbyshire County Council, and the overall approach is consistent with that of other local authorities.
- (3) Whilst the general approach is not to exercise any discretion where there is a cost to the Council, there may be some circumstances where this approach is too restrictive and discretionary powers will be exercised and appropriate appeal arrangements made.

(Chief Executive/
Assistant Director – Human Resources and Payroll/
Executive Director – Operations)

Appendix G

Local Government Pension Scheme 2014 – Employer Discretions North East Derbyshire District Council For post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members)	
Discretion	Recommendation
<p>Additional Pension Contributions Regulation 16(2) (e) and 16(4)(d) of the LGPS Regulations 2013</p> <p>Whether, how much, and in what circumstances to contribute to a shared cost Additional Pension Contribution (APC) scheme.</p> <p>An APC is payment of pension contributions to cover a break in pensionable service. If the break in service is an authorised break, for example, the no pay period of maternity leave and the person opts to pay for the break within 30 days from the end of the break, the shared costs APC automatically applies. The shared cost is split two thirds employer, one third scheme member.</p> <p>The Council needs to consider a shared cost APC in exceptional circumstances, where a person opts to pay for the break after 30 days up to a period of 12 months, from the end of the break.</p>	<p>If the person opts to pay an APC to buy extra pension after 30 days and within one year of the break the shared cost option does not apply.</p>
<p>Flexible Retirement – Regulation 30 (6) and Transitional Provision Regulations 2014 Regulation 11(2)</p> <p>Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement)</p>	<p>That in accordance with the Council’s existing policy on flexible retirement, this discretion would normally be awarded only in cases where there is no additional cost to the Council.</p>
<p>Flexible Retirement (Routine Cases) – Regulation 30 (8) of the LGPS Regulations 2013</p> <p>Whether to waive, in whole or in part actuarial reduction on benefits on flexible retirement.</p>	<p>That the Council has a general policy that any flexible retirement must normally be at no cost to the Council.</p> <p>Where there is no cost to the Council approval of flexible retirement requests are delegated to the Chief Executive Officer, with a right of appeal to the Council’s Elected Member Appeal Panel, should a flexible retirement request be refused.</p>

Local Government Pension Scheme 2014 – **Employer Discretions North East Derbyshire District Council For post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members)**

Discretion	Recommendation
	<p>However, where the Council is seeking volunteers for flexible retirement as a way to avoid compulsory redundancies etc., the Council may consider bearing the cost to ensure there is no reduction in the employee's pension in order to secure the financial benefits arising from reducing employee numbers. In these exceptional cases, a report will be submitted to Cabinet for its consideration.</p>
<p>Policy for Flexible Retirement (Routine Cases) - Regulation 30 (8) of the LGPS Regulations 2013</p> <p>An employer can consent to a reduction in an employee's hours or grade and consent to the release of pension benefits where the employee is aged 55 and over.</p> <p>For the purpose of this policy, requests for flexible retirement can be categorised as follows:</p> <ul style="list-style-type: none"> • Category one - Employee is age 60 or over - There is no cost to the council as the employee is at or past their earliest retirement date. If they do not meet the Rule of 85 (*1) their pension benefits will be reduced to reflect early payment. • Category two - Employee is age 55 or over but less than 60 and does not meet the Rule of 85 until on or after their 60th birthday. In this case the regulations allow for the cost of the early payment of pension benefits to be borne by the employee so as to avoid a pension fund shortfall. The benefits are actuarially reduced to reflect the fact that they are paid early. 	<p>That the Council has a general policy that any flexible retirement for category one and category two cases must normally be at no cost to the Council.</p> <p>Where there is no cost to the Council approval of flexible retirement requests are delegated to the Chief Executive Officer, with a right of appeal to the Council's Elected Member Appeal Panel, should a flexible retirement request be refused.</p> <p>However, where the Council is seeking volunteers for flexible retirement as a way to avoid compulsory redundancies etc., the Council may consider bearing the cost to ensure there is no reduction in the employee's pension in order to secure the financial benefits arising from reducing employee numbers. In these exceptional cases, a report will be submitted to Cabinet for its consideration.</p> <p>The initial application will need to be directed to the Chief Financial Officer who is the named person with respect to the pension fund. In a situation where the Chief Financial Officer takes the view that it is appropriate to consider a discretionary award they will take a report to Cabinet recommending that a corresponding budgetary provision is established. In a</p>

Local Government Pension Scheme 2014 – **Employer Discretions North East Derbyshire District Council For post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members)**

Discretion	Recommendation
<ul style="list-style-type: none"> Category three - Employee is age 55 or over but less than 60 and does meet the Rule of 85 either at the date of flexible retirement or at a later date that is before their 60th birthday. In this case we would have to meet the Pension Fund shortfall arising from the early payment of pension benefits from the date when the Rule of 85 is met. <p>(*1 The Rule of 85 is where the sum of the scheme member's age plus period of membership in the Pension Scheme (both in whole years) is 85 or greater).</p>	<p>position where the Chief Financial Officer did not support such an application then no such report will be taken with the individual submitting the application notified to that effect. Where the individual making the application is not satisfied with the decision of the Chief Financial Officer they may appeal to Cabinet for a review of that decision. Such an appeal should be made in the first instance to the Chief Executive who will arrange for a report to be taken to Cabinet. The employee/former employee concerned will be allowed to submit a written statement of case while the Chief Financial Officer will provide a written statement setting out the reasons why the application should be rejected.</p>
<p>NOTE Increases in hours after taking flexible retirement</p>	<p>Where an employee has been allowed to reduce their hours for the purposes of flexible retirement they will not be allowed to increase them on a permanent basis. Where it is in our interests, a temporary increase in hours for a period not exceeding six months can be permitted. The temporary increase in hours must be authorised by the chief officer.</p> <p>An employee who has reduced their hours and taken flexible retirement must only be allowed to work additional hours or overtime at the same level that applied prior to the reduction in contractual hours. The aim is to prevent employees compensating for a reduction in contractual hours by working additional hours and overtime. The chief officer must approve requests for temporary increases in additional hours and overtime in advance.</p>
<p>Retirement at age 55 - Regulation 30(8) of the LGPS Regulations 2013</p>	<p>That the Council has a general policy not to agree to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws</p>

Local Government Pension Scheme 2014 – Employer Discretions North East Derbyshire District Council For post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members)	
Discretion	Recommendation
Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age.	<p>before normal pension age.</p> <p>The initial application will need to be directed to the Chief Financial Officer who is the named person with respect to the pension fund. In a situation where the Chief Financial Officer takes the view that it is appropriate to consider a discretionary award they will take a report to Cabinet recommending that a corresponding budgetary provision is established. In a position where the Chief Financial Officer did not support such an application then no such report will be taken with the individual submitting the application notified to that effect. Where the individual making the application is not satisfied with the decision of the Chief Financial Officer they may appeal to Cabinet for a review of that decision. The employee/former employee will be allowed to submit a written statement of case while the Chief Financial Officer will provide a written statement setting out the reasons why the application should be rejected.</p>
<p>Additional Pension - Regulation 31 of the LGPS Regulations 2013</p> <p>Whether to grant additional pension to an active member or within six months of ceasing to be an active member by reason of redundancy or business efficiency (by up to £6,500 p.a.)</p>	<p>That the Council has a general policy not to agree to grant additional pension to an active member or within six months of ceasing to be an active member by reason of redundancy or business efficiency (by up to £6,500 p.a.)</p> <p>The initial application will need to be directed to the Chief Financial Officer who is the named person with respect to the pension fund. In a situation where the Chief Financial Officer takes the view that it is appropriate to consider a discretionary award they will take a report to Cabinet recommending that a corresponding budgetary provision is established. In a position where the Chief Financial Officer did not support such an application then no such report will be taken with the individual submitting the</p>

Local Government Pension Scheme 2014 – Employer Discretions North East Derbyshire District Council For post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members)

Discretion	Recommendation
	<p>application notified to that effect. Where the individual making the application is not satisfied with the decision of the Chief Financial Officer they may appeal to Cabinet for a review of that decision. The employee/former employee will be allowed to submit a written statement of case while the Chief Financial Officer will provide a written statement setting out the reasons why the application should be rejected.</p>
<p>Switching on the Rule of 85 - Transitional Provision Schedule 2, paragraph 2(2) of the Transitional Provision Regulations 2014</p> <p>Whether to ‘switch on’ the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60.</p>	<p>That the Council has a general policy not to agree to switch on the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60.</p> <p>The initial application will need to be directed to the Chief Financial Officer who is the named person with respect to the pension fund. In a situation where the Chief Financial Officer takes the view that it is appropriate to consider a discretionary award they will take a report to Cabinet recommending that a corresponding budgetary provision is established. In a position where the Chief Financial Officer did not support such an application then no such report will be taken with the individual submitting the application notified to that effect. Where the individual making the application is not satisfied with the decision of the Chief Financial Officer they may appeal to Cabinet for a review of that decision. The employee/former employee will be allowed to submit a written statement of case while the Chief Financial Officer will provide a written statement setting out the reasons why the application should be rejected.</p>
<p>Compassionate Grounds - Transitional Provision 3(1),</p>	<p>That the Council has a general policy not to waive any actuarial reduction on</p>

Local Government Pension Scheme 2014 – Employer Discretions North East Derbyshire District Council For post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members)	
Discretion	Recommendation
<p>Transitional Provision Schedule 2, paragraph 2(1) and 2(2), of the Transitional Provision Regulations 2014 and Regulations B30(5) and B30A(5) of the LGPS (Benefits, Membership and Contributions) Regulations 2007</p> <p>Decide whether to waive any actuarial reduction on pre and/or post April 2014 benefits paid early on compassionate grounds.</p>	<p>pre and/or post April 2014 benefits paid early on compassionate grounds.</p> <p>The initial application will need to be directed to the Chief Financial Officer who is the named person with respect to the pension fund. In a situation where the Chief Financial Officer takes the view that it is appropriate to consider a discretionary award they will take a report to Cabinet recommending that a corresponding budgetary provision is established. In a position where the Chief Financial Officer did not support such an application then no such report will be taken with the individual submitting the application notified to that effect. Where the individual making the application is not satisfied with the decision of the Chief Financial Officer they may appeal to Cabinet for a review of that decision. The employee/former employee will be allowed to submit a written statement of case while the Chief Financial Officer will provide a written statement setting out the reasons why the application should be rejected.</p>

Local Government Pension Scheme 2008 – Discretions in relation to scheme members (excluding councillor members) who ceased active membership on or after 1 April 2008 and before 1 April 2014

Discretion	Recommendation
<p>Switching on the Rule of 85 - Transitional Provision Schedule 2, paragraph 2(2) of the Transitional Provision Regulations 2014</p> <p>Whether to 'switch on' the 85 year rule for a deferred member voluntarily drawing benefits on or after age 55 and before age 60.</p>	<p>That the Council has a general policy not to agree to switch on the 85 year rule for a deferred member voluntarily drawing benefits on or after age 55 and before age 60.</p> <p>The initial application will need to be directed to the Chief Financial Officer who is the named person with respect to the pension fund. In a situation where the Chief Financial Officer takes the view that it is appropriate to consider a discretionary award they will take a report to Council recommending that a corresponding budgetary provision is established. In a position where the Chief Financial Officer did not support such an application then no such report will be taken with the individual submitting the application notified to that effect. Where the individual making the application is not satisfied with the decision of the Chief Financial Officer</p>
<p>Compassionate Grounds - Regulation 30(5) of the LGPS (Benefits, Membership and Contributions) Regulations 2007</p> <p>Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30</p>	<p>That the Council has a general policy not to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30.</p> <p>The initial application will need to be directed to the Chief Financial Officer who is the named person with respect to the pension fund. In a situation where the Chief Financial Officer takes the view that it is appropriate to consider a discretionary award they will take a report to Cabinet recommending that a corresponding budgetary provision is established. In a position where the Chief Financial Officer did not support such an application then no such report will be taken with the individual submitting the application notified to that effect. Where the individual making the application is not satisfied with the decision of the Chief Financial Officer they may appeal to Cabinet for a review of that decision. The employee/former employee will be allowed to submit a written statement of case while the Chief Financial Officer will provide a written statement setting out the reasons why the</p>

Local Government Pension Scheme 2008 – Discretions in relation to scheme members (excluding councillor members) who ceased active membership on or after 1 April 2008 and before 1 April 2014	
Discretion	Recommendation
	application should be rejected.
<p>Compassionate Grounds - Regulation 30A(5) of the LGPS (Benefits, Membership and Contributions) Regulations 2007</p> <p>Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under B30A.</p>	<p>That the Council has a general policy not to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30A.</p> <p>The initial application will need to be directed to the Chief Financial Officer who is the named person with respect to the pension fund. In a situation where the Chief Financial Officer takes the view that it is appropriate to consider a discretionary award they will take a report to Cabinet recommending that a corresponding budgetary provision is established. In a position where the Chief Financial Officer did not support such an application then no such report will be taken with the individual submitting the application notified to that effect. Where the individual making the application is not satisfied with the decision of the Chief Financial Officer they may appeal to Cabinet for a review of that decision. The employee/former employee will be allowed to submit a written statement of case while the Chief Financial Officer will provide a written statement setting out the reasons why the application should be rejected.</p>

Local Government Pension Scheme 1997 –Discretions in relation to active councillor members and councillor members who ceased active membership on or after 1 April 1998 and any other scheme members who ceased active membership on or after 1 April 1998 and before 1 April 2008	
Discretion	Recommendation

Local Government Pension Scheme 1997 –Discretions in relation to active councillor members and councillor members who ceased active membership on or after 1 April 1998 and any other scheme members who ceased active membership on or after 1 April 1998 and before 1 April 2008

Discretion	Recommendation
<p>Compassionate Grounds - Regulation 31(5) of the LGPS Regulations 1997</p> <p>Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early for a post 31 March 1998/pre 1 April 2008 leaver or councillor leaver.</p>	<p>That the Council has a general policy not to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early for a post 31 March 1998/pre 1 April 2008 leaver or councillor leaver.</p> <p>The initial application will need to be directed to the Chief Financial Officer who is the named person with respect to the pension fund. In a situation where the Chief Financial Officer takes the view that it is appropriate to consider a discretionary award they will take a report to Cabinet recommending that a corresponding budgetary provision is established. In a position where the Chief Financial Officer did not support such an application then no such report will be taken with the individual submitting the application notified to that effect. Where the individual making the application is not satisfied with the decision of the Chief Financial Officer they may appeal to Cabinet for a review of that decision. The employee/former employee/councillor will be allowed to submit a written statement of case while the Chief Financial Officer will provide a written statement setting out the reasons why the application should be rejected.</p>
<p>Optant Out Payments - Regulation 31(7) of the LGPS Regulations 1997</p> <p>Decide whether councillor optants out and pre 1 April 2008 employee optant outs only get benefits paid from normal retirement date (NRD) if</p>	<p>That councillor optants out and pre 1 April 2008 employee optant outs will only be allowed to get benefits paid from normal retirement date (NRD).</p>

Local Government Pension Scheme 1997 –Discretions in relation to active councillor members and councillor members who ceased active membership on or after 1 April 1998 and any other scheme members who ceased active membership on or after 1 April 1998 and before 1 April 2008

Discretion	Recommendation
employer agrees.	

Local Government Pension Scheme 1997 – Discretions relating members who ceased active membership before 1 April 1998

Grant application for early payment deferred benefits on or after age 50 on compassionate grounds

That the Council has a general policy not to waive, on compassionate grounds, the actuarial reduction applied to benefits paid before 1st April 1998.

The initial application will need to be directed to the Chief Financial Officer who is the named person with respect to the pension fund. In a situation where the Chief Financial Officer takes the view that it is appropriate to consider a discretionary award they will take a report to Cabinet recommending that a corresponding budgetary provision is established. In a position where the Chief Financial Officer did not support such an application then no such report will be taken with the individual submitting the application notified to that effect. Where the individual making the application is not satisfied with the decision of the Chief Financial Officer they may appeal for a review of that decision by writing to the Chief Executive Officer. The employee/former employee/councillor will be allowed to submit a written statement of case while the Chief Financial Officer will provide a written statement setting out the reasons why the application should be rejected.

Local Government Pension Scheme 1997 –Discretions in relation to active councillor members and councillor members who ceased active membership on or after 1 April 1998 and any other scheme members who ceased active membership on or after 1 April 1998 and before 1 April 2008

Discretion	Recommendation

Minute Extract 0611/MD

North East Derbyshire District Council

Council

11 November 2019

Annual Audit Letter 2018/19

Report of the Councillor Paul Parkin, Portfolio Holder for Finance

This report is public

Purpose of the Report

- For Council to consider the Annual Audit Letter in respect of 2018/19 which has been prepared by Mazars for consideration by elected Members of the Council and other stakeholders.

1 Report Details

- 1.1 That Council consider the attached report from the Council's External Auditors (Mazars).

2 Conclusions and Reasons for Recommendation

- 2.1 To ensure that Council is able to effectively consider the outcomes of the work undertaken by the Council's external auditors.

3 Consultation and Equality Impact

- 3.1 None arising directly from the report.

4 Alternative Options and Reasons for Rejection

- 4.1 No alternatives available, an appropriate level of consideration by Elected Members and other stakeholders must take place.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 There are no additional financial implications arising out of this report.

5.2 Legal Implications including Data Protection

- 5.2.1 None arising directly from this report.

5.3 Human Resources Implications

5.3.1 None arising directly from this report.

6 Recommendations

6.1 That Council considers and notes the attached report from the Council's External Auditors, Mazars.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC:</i> Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <i>NEDDC:</i> Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has relevant Portfolio Member been informed?	Yes
District Wards Affected	None directly.
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title				
1	Annual Audit Letter 2018/19				
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)					
<table border="1"> <thead> <tr> <th>Report Author</th> <th>Contact Number</th> </tr> </thead> <tbody> <tr> <td>Jayne Dethick – Chief Accountant and Section 151 Officer</td> <td>01246 217658</td> </tr> </tbody> </table>		Report Author	Contact Number	Jayne Dethick – Chief Accountant and Section 151 Officer	01246 217658
Report Author	Contact Number				
Jayne Dethick – Chief Accountant and Section 151 Officer	01246 217658				

Annual Audit Letter

North East Derbyshire District Council

APPENDIX 1

Year ending 31 March 2019





CONTENTS

1. Executive summary
2. Audit of the financial statements
3. Value for Money conclusion
4. Other reporting responsibilities
5. Our fees
6. Forward look

Our reports are prepared in the context of the 'Statement of responsibilities of auditors and audited bodies' issued by Public Sector Audit Appointments Ltd. Reports and letters prepared by appointed auditors and addressed to members or officers are prepared for the sole use of the Council and we take no responsibility to any member or officer in their individual capacity or to any third party.

Mazars LLP is the UK firm of Mazars, an international advisory and accountancy group. Mazars LLP is registered by the Institute of Chartered Accountants in England and Wales.

1. EXECUTIVE SUMMARY

Purpose of the Annual Audit Letter

Our Annual Audit Letter summarises the work we have undertaken as the auditor for North East Derbyshire District Council for the year ended 31 March 2019. Although this letter is addressed to the Council, it is designed to be read by a wider audience including members of the public and other external stakeholders.

Our responsibilities are defined by the Local Audit and Accountability Act 2014 (the 2014 Act) and the Code of Audit Practice issued by the National Audit Office (the NAO). The detailed sections of this letter provide details on those responsibilities, the work we have done to discharge them, and the key findings arising from our work. These are summarised below.

Area of responsibility	Summary
Audit of the financial statements	<p>Our auditor's report issued on 31 July 2019 included our opinion that the financial statements:</p> <ul style="list-style-type: none">• give a true and fair view of the Council and the Group's financial position as at 31 March 2019 and of its expenditure and income for the year then ended; and• have been prepared properly in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2018/19.
Other information published alongside the audited financial statements	<p>Our auditor's report issued on 31 July 2019 included our opinion that:</p> <ul style="list-style-type: none">• The other information in the Statement of Accounts is consistent with the audited financial statements.
Value for Money conclusion	<p>Our auditor's report concluded that we are satisfied that in all significant respects, the Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2019.</p>
Reporting to the group auditor	<p>In line with group audit instructions issued by the NAO, on 31 July 2019 we reported to the group auditor in line with the requirements applicable to the Council's WGA return.</p>
Statutory reporting	<p>Our auditor's report confirmed that we did not use our powers under s24 of the 2014 Act to issue a report in the public interest or to make written recommendations to the Council.</p>

2. AUDIT OF THE FINANCIAL STATEMENTS

Opinion on the financial statements

Unqualified

The scope of our audit and the results of our work

The purpose of our audit is to provide reasonable assurance to users that the financial statements are free from material error. We do this by expressing an opinion on whether the statements are prepared, in all material respects, in line with the financial reporting framework applicable to the Council and whether they give a true and fair view of the Council's financial position as at 31 March 2019 and of its financial performance for the year then ended.

Our audit was conducted in accordance with the requirements of the Code of Audit Practice issued by the NAO, and International Standards on Auditing (ISAs). These require us to consider whether:

- the accounting policies are appropriate to the Council's circumstances and have been consistently applied and adequately disclosed;
- the significant accounting estimates made by management in the preparation of the financial statements are reasonable; and
- the overall presentation of the financial statements provides a true and fair view.

Our auditor's report, issued to the Council on 31 July 2019, stated that, in our view, the financial statements give a true and fair view of the Council's financial position as at 31 March 2019 and of its financial performance for the year then ended.

Our approach to materiality

We apply the concept of materiality when planning and performing our audit, and when evaluating the effect of misstatements identified as part of our work. We consider the concept of materiality at numerous stages throughout the audit process, in particular when determining the nature, timing and extent of our audit procedures, and when evaluating the effect of uncorrected misstatements. An item is considered material if its misstatement or omission could reasonably be expected to influence the economic decisions of users of the financial statements.

Judgements about materiality are made in the light of surrounding circumstances and are affected by both qualitative and quantitative factors. As a result we have set materiality for the financial statements as a whole (financial statement materiality) and a lower level of materiality for specific items of account (specific materiality) due to the nature of these items or because they attract public interest. We also set a threshold for reporting identified misstatements to the Audit and Corporate Governance Committee. We call this our trivial threshold.

The table below provides details of the materiality levels applied in the audit of the financial statements for the year ended 31 March 2019:

Financial statement materiality	Our financial statement materiality is based on 2% of Gross Revenue Expenditure at a Surplus/Deficit on Provision of Services level	£1,910k
Trivial threshold	Our trivial threshold is based on 3% of financial statement materiality.	£57k
Specific materiality	We have applied a lower level of materiality to the following areas of the accounts: - Officers remuneration (bandings) - Members allowances - Audit Fees	£5k £79k £11k

2. AUDIT OF THE FINANCIAL STATEMENTS

Our response to significant risks

As part of our continuous planning procedures we considered whether there were risks of material misstatement in the Council's financial statements that required special audit consideration. We reported significant risks identified at the planning stage to the Audit and Corporate Governance Committee within the Audit Strategy Memorandum and provided details of how we responded to those risks in our Audit Completion Report. The table below outlines the identified significant risks, the work we carried out on those risks and our conclusions.

Identified significant risk	Our response	Our findings and conclusions
<p>Management override of controls</p> <p>Management at various levels within an organisation are in a unique position to perpetrate fraud because of their ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Due to the unpredictable way in which such override could occur there is a risk of material misstatement due to fraud on all audits.</p>	<p>We addressed this risk by:</p> <ul style="list-style-type: none"> • Documenting our understanding of the processes and controls in place to mitigate the risks identified, and walk through those processes and controls to confirm our understanding; • Testing the appropriateness of journal entries recorded in the general ledger and other material adjustments made in the preparation of the financial statements; • Evaluating the business rationale for any significant transactions outside the course of the business; • Understanding the oversight given by those charged with governance of management process over fraud; • Making enquiries of management and Internal Audit regarding actual or any suspicions of fraud; and • Considering whether the Council's accounting policies are consistent with industry standards. 	<p>There are no matters arising from our work on management override of controls</p>
<p>Valuation of property, plant and equipment and investment properties</p> <p>The Council employs a valuation expert to provide information on revaluations, however there remains a high degree of estimation uncertainty associated with the revaluations of PPE due to the significant judgements and number of variables involved.</p>	<p>We addressed this risk through performing the following audit work:</p> <ul style="list-style-type: none"> • Testing a sample of assets valued during the year to valuation reports; • Where material, testing the basis for impairment of assets, the value and correct accounting treatment; • Critically assessing the Council's valuer's scope of work and methodology used for a sample of valuations; and • Considering the impact of any assets not valued during the year. 	<p>We are satisfied the estimates were reasonable and materially correct.</p>

2. AUDIT OF THE FINANCIAL STATEMENTS

Our response to significant risks (continued)

Identified significant risk	Our response	Our findings and conclusions
<p>Valuation of defined benefit pension net liability</p> <p>The Council's accounts contain material liabilities relating to the Local Government Pension Scheme (LGPS). The Council uses an actuary to provide an annual valuation of these liabilities in line with the requirements of IAS 19 Employee Benefits. Due to the high degree of estimation uncertainty associated with this valuation, we have determined there is a significant risk in this area.</p>	<p>To address this risk we:</p> <ul style="list-style-type: none"> Reviewed the appropriateness of the Pension Asset and Liability valuation methodologies applied by the Pension Fund Actuary, and the key assumptions included within the valuation. This included comparing them to expected ranges, utilising information provided by PWC, the consulting actuary engaged by the National Audit Office; Agreed the data in the IAS 19 valuation reports provided by the Fund Actuary for accounting purposes to the pension accounting entries and disclosures in the Council's financial statements; Critically assessed the competency, objectivity and independence of the Nottinghamshire Pension Fund's Actuary, Hymans Robertson; and Liaised with the auditors of the Derbyshire Pension Fund to gain assurance that the controls in place at the Pension Fund are operating effectively. This included the processes and controls in place to ensure data provided to the Actuary by the Pension Fund for the purposes of the IAS 19 valuation is complete and accurate. 	<p>The Council obtained an updated IAS19 valuation report from the Actuary in July 2019, to take into account:</p> <ul style="list-style-type: none"> the implications of the GMP and McCloud judgments, which impacted on the estimated pension liabilities and had not been taken into account by the Actuary in their original report; and changes to the Pension Fund's asset values at 31 March 2019, as the Actuary's original report had been based on a forecast year-end valuation. <p>The report included material differences to the original report used to prepare the draft financial statements. Management amended the draft financial statements for these differences.</p> <p>We are satisfied that the final estimates included in the financial statements are reasonable and materially correct.</p>

2. AUDIT OF THE FINANCIAL STATEMENTS

Internal control recommendations

As part of our audit we considered the internal controls in place that are relevant to the preparation of the financial statements. We did this to design audit procedures that allow us to express our opinion on the financial statements, but this did not extend to us expressing an opinion on the effectiveness of internal controls. The matters we report are limited to those deficiencies and other control recommendations that we have identified during our normal audit procedures and that we consider to be of sufficient importance to merit being reported. We have not identified any significant control deficiencies that we are required to report to you.

3. VALUE FOR MONEY CONCLUSION

Value for Money conclusion

Unqualified

Our approach to Value for Money

We are required to consider whether the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. The NAO issues guidance to auditors that underpins the work we are required to carry out in order to form our conclusion, and sets out the criterion and sub-criteria that we are required to consider.

The overall criterion is that, 'in all significant respects, the Council had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.' To assist auditors in reaching a conclusion on this overall criterion, the following sub-criteria are set out by the NAO:

- Informed decision making
- Sustainable resource deployment
- Working with partners and other third parties

Our auditor's report, issued to the Council on 31 July 2019, stated that, in all significant respects, the Council put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31st March 2019.

Significant Value for Money risks

The NAO's guidance requires us to carry out work to identify whether or not a risk to the Value for Money conclusion exists. Risk, in the context of our Value for Money work, is the risk that we come to an incorrect conclusion rather than the risk of the arrangements in place at the Council being inadequate. In our Audit Completion Report we reported that we had not identified any significant Value for Money risks but we set out our findings in relation to one area which we had kept under review:

- Financial sustainability – the medium term financial position is uncertain (common to all bodies in the sector) and the demands/funding assumptions indicate a likely shortfall in future years. The Council is sighted on needing to be self-sufficient due to falling government grant levels.

Before forming our Value for Money Conclusion we:

- Reviewed the 2018/19 financial performance and forecasts during the year and considered the Council's financial outturn position as presented in the financial statements.
- Reviewed the 2019/20:
 - Revenue and Capital budgets and Medium Term Financial Plan
 - Treasury Management Strategy, incorporating the Minimum Revenue Provision Policy and Capital and Investment Strategies
- Considered the Council's latest financial monitoring information and its updated medium term outlook
- Discussed the Transformation Programme arrangements with managers and reviewed progress monitoring reports
- Updated our overall risk assessment for any new or emerging issues through discussions with management and updating our review of committee reports
- Reviewed the Council's Annual Governance Statement for any significant issues
- Considered the general findings from our audit work in other areas.

3. VALUE FOR MONEY CONCLUSION

Value for Money conclusion

Unqualified

The Council recognises the key issues are achieving efficiencies to balance its medium term financial plan, in the face of demand and cost pressures, and managing its general reserves to a level that ensures it remains financially resilient and able to deliver sustainable services. The Medium Term Financial Plan (MTFP) sets out the key assumptions on both income and expenditure as well as the savings required over the period. The 2018/19 Derbyshire Business Rates Pilot has provided a windfall of around £1.5m and the £4.5m 'Invest to Save' reserve provides the Council with a platform for the next 12-18 months important to deliver the transformation required to secure long term financial sustainability. The Transformation Programme is broad based and includes themes designed to strengthen the organisation's capacity and capability to escalate the delivery of the specific improvements and efficiencies required in the medium term. There are programme and project management arrangements in place and progress is being tracked. The identification and delivery of savings will continue to be challenging and further work is in hand to firm up specific saving plans for 2020/21 and beyond. The outcome of the Fair Funding review will help inform the Council's plans.

From the work performed, no new significant VFM risks were identified.

4. OTHER REPORTING RESPONSIBILITIES

Exercise of statutory reporting powers	No matters to report
Reporting to the NAO in respect of Whole of Government Accounts consolidation data	Assurance Statement submitted
Other information published alongside the audited financial statements	Consistent

The NAO's Code of Audit Practice and the 2014 Act place wider reporting responsibilities on us, as the Council's external auditor. We set out below, the context of these reporting responsibilities and our findings for each.

Matters on which we report by exception

The 2014 Act provides us with specific powers where matters come to our attention that, in our judgement, require reporting action to be taken. We have the power to:

- Issue a report in the public interest;
- make statutory recommendations that must be considered and responded to publicly;
- apply to the court for a declaration that an item of account is contrary to law; and
- issue an advisory notice under schedule 8 of the 2014 Act.

We have not exercised any of these statutory reporting powers.

The 2014 Act also gives rights to local electors and other parties, such as the right to ask questions of the auditor and the right to make an objection to an item of account. We did not receive any such objections or questions.

Reporting to the NAO in respect of Whole of Government Accounts consolidation data

The NAO, as group auditor, requires us to complete the WGA Assurance Statement in respect of its consolidation data. We submitted this information to the NAO on 31 July 2019.

Other information published alongside the financial statements

The Code of Audit Practice requires us to consider whether information published alongside the financial statements is consistent with those statements and our knowledge and understanding of the Council. In our opinion, the other information in the Statement of Accounts is consistent with the audited financial statements.

5. OUR FEES

Fees for work as the Council's auditor

We reported our proposed fees for the delivery of our work in the Audit Strategy Memorandum, presented to the Audit and Corporate Governance Committee in April 2019.

We have completed our work for the 2018/19 financial year, including the additional work required relating to the material amendments to the Pension estimates included in the Financial Statements as described at page 5. The final fee for the audit is subject to PSAA approval and has not been confirmed yet:

Area of work	2018/19 proposed fee	2018/19 final fee*
Delivery of audit work under the NAO Code of Audit Practice	£43,510	£43,510*

* the final fee for the 2018/19 audit has not been confirmed yet.

Fees for other work

We confirm that we have not undertaken any non-audit services for the Council in the year.

6. FORWARD LOOK

Audit Developments

Code of Audit Practice

The Code of Audit Practice sets out what local auditors of relevant local public bodies are required to do to fulfil their statutory responsibilities under the Local Audit and Accountability Act 2014. We have responded to the National Audit Office's consultation on the content of the Code (<https://www.nao.org.uk/code-audit-practice/about-code/>)

A new Code will be laid in Parliament in time for it to come in to force no later than 1 April 2020.

Financial Resilience

Fair Funding Review

The Council will need to incorporate the outcome of the Spending Review, due in the latter half of 2019, into its Medium Term Financial Plan. The Spending Review will set out the department allocations for 2020/21 and potentially beyond. Regardless of the timing and period covered by the Spending Review, the Council recognises the key issue is the management of general reserves to a level that ensures it remains financially resilient and able to deliver sustainable services. It must, therefore, ensure it clarifies and quantifies how it will bridge the funding gap through planned expenditure reductions and/ or income generation schemes.

Local Authority Financial Resilience Index

CIPFA is moving forward with its financial resilience index, which it believes will be a barometer on which local authorities will be judged. We would expect the Council to have at least considered the index once it is formally released.

Commercialisation

The National Audit Office will be publishing a report on Commercialisation during 2019. Depending on the Council's appetite for Commercialisation, we would expect the Council to consider the outcome of the report and ensure any lessons learnt are incorporated into business practice.

Further, the UK Debt Management Office's Annual Report, published on 23 July 2019, reported that, as at 31 March 2019, the Public Works Loan Board's loan book was £78.3 billion with 1,308 new loans totalling £9.1 billion advanced during the year. As a result, we expect local authorities to clearly demonstrate:

- the value for money in the use of Public Works Loan Board funds to acquire commercial property
- the arrangements for loan repayment through the updated Statutory Guidance on Minimum Revenue Provision in 2019/20, 2020/21 and beyond.

Financial Reporting

UK Local Government Annual Accounts

The CIPFA/LASAAC Local Authority Code Board specifies the financial reporting requirements for UK local government. A consultation is underway to inform the direction and strategy for local government annual accounts. We will be submitting our response and suggest practitioners also voice their opinion.

Lease accounting

The implementation of IFRS 16 Leases in the Code is delayed until 1 April 2020. The Council will need a project plan to ensure the data analysis and evaluation of accounting entries is completed in good time to ensure any changes in both business practice and financial reporting are captured.

6. FORWARD LOOK

Financial outlook

It is clear that the Council faces some of the most difficult decisions it has ever faced in balancing the budget going forwards. Although the Council does have reserves available to minimise the immediate impact these are a temporary or transitional cushion while the savings needed are identified and delivered.

In addition, the reserves available to support the budget are reducing and the available balances will soon reach the minimum needed to deal with unforeseen circumstances and risk, and will not be available to support the revenue budget in the way that they have in recent years. The key message from those councils that have already faced a financial crisis, such as Northamptonshire and others, is the importance of taking early action to secure financial sustainability before the position becomes unmanageable.

The position beyond 2019/20 is very uncertain as much depends on the outcome of the comprehensive spending review, fair funding review and the measures that will be taken in relation to the future operation of the business rates system. However, it seems unlikely that the overall financial position for the Council will improve sufficiently to allow it to defer any of the difficult decisions that are now needed.

Decisive action to bridge the budget gap over the medium term is a key priority for the Council.

How we will work with the Authority

We will focus our work on the risks that your challenges present to your financial statements and your ability to maintain proper arrangements for securing value for money.

In the coming year we will continue to support the Council by:

- continued liaison with the Council's Internal Auditors to minimise duplication of work;
- attending Audit and Corporate Governance Committee meetings and presenting an Audit Progress Report including updates on regional and national developments; and
- hosting events for staff, such as our Local Government Accounts workshop.

We will meet with key Council officers to identify any learning from the 2018/19 audit and will continue to share our insights from across local government and relevant knowledge from the wider public and private sector.

In terms of the technical challenges that officers face around the production of the statement of accounts, we will continue to work with them to share our knowledge of new accounting developments and we will be on hand to discuss any issues as and when they arise.

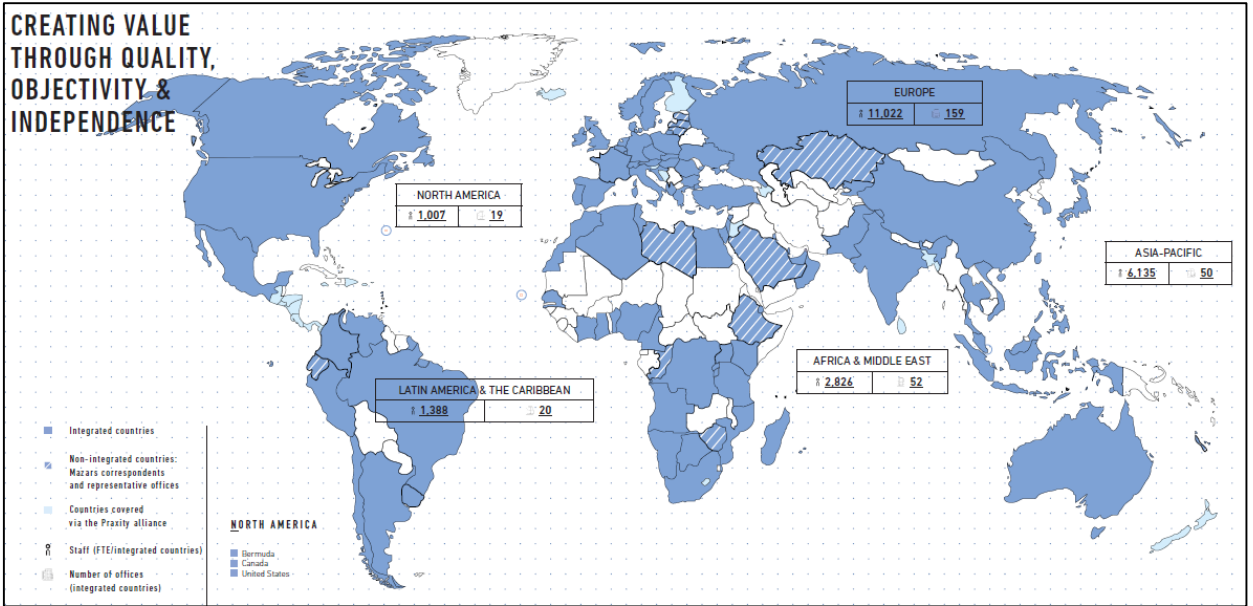
The Council has taken a positive and constructive approach to our audit and we wish to thank Members and officers for their support and co-operation during our audit.

MAZARS AT A GLANCE

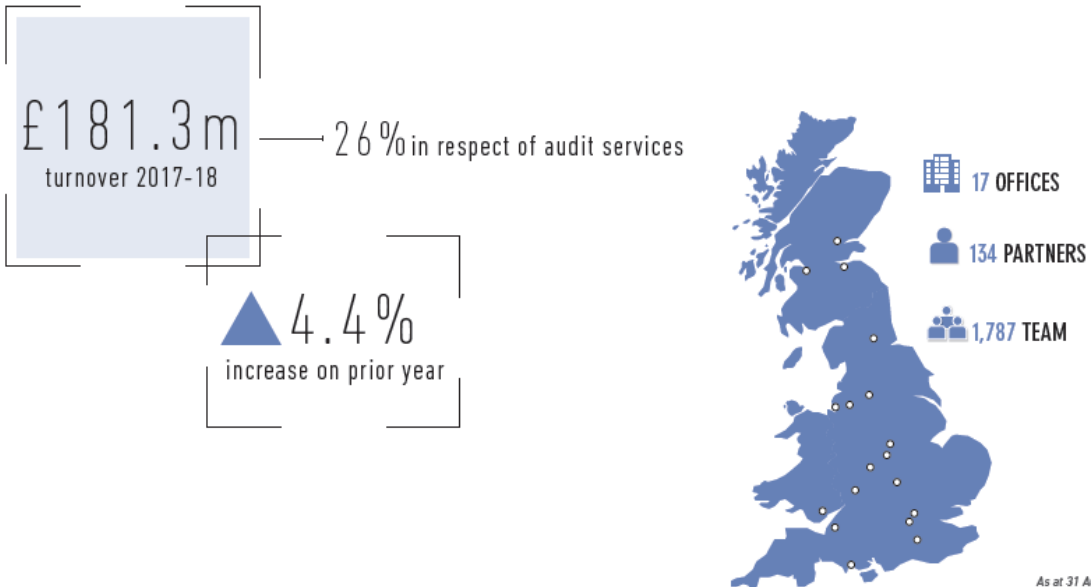
Mazars LLP

- Fee income €1.6 billion
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- International and integrated partnership with global methodologies, strategy and global brand

Mazars Internationally



Mazars in the UK



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North East Derbyshire District Council

Council

11 November 2019

Treasury Management Update

Report of Councillor Paul Parkin, Portfolio Holder for Finance

This report is public

Purpose of the Report

- To update Council on the treasury management activities for the period April to September 2019.

1 Report Details

- 1.1 The Council approved the 2019/20 Treasury Management Strategy at its meeting in February 2019. This monitoring report details the treasury management activity during the first half year. This is in line with best practice as outlined in the CIPFA Treasury Management Code of Practice.
- 1.2 The treasury management function covers the borrowing and investment of Council money. This includes both the management of the Council's day to day cash position and the management of its long term debt. All transactions are conducted in accordance with the Council's approved strategy and the CIPFA Code of Practice. Good treasury management plays an important role in the sound financial management of the Council's resources.
- 1.3 **Appendix 1** of this report, details the treasury management activities that have taken place between April and September 2019.
- 1.4 The Council uses external treasury advisors, Arlingclose Ltd, who provide a range of services which include:
 - Technical support on treasury matters, capital finance issues and the drafting of Member reports;
 - Economic and interest rate analysis;
 - Debt services which includes advice on the timing of borrowing;
 - Debt rescheduling advice surrounding the existing portfolio;
 - Generic investment advice on interest rates, timing and investment instruments;
 - A number of places at training events offered on a regular basis.
 - Credit ratings/market information service comprising the three main credit rating agencies.

- 1.5 Arlingclose attended a meeting of the Cabinet on 11 July 2019 to provide and advice and guidance on the Council's future investment options and these are currently being explored within the confines of the Council's existing approved Treasury Management Strategy.

2 Conclusions and Reasons for Recommendation

- 2.1 The report details the treasury management activities for the period April to September 2019 in line with the CIPFA Treasury Management Code of Practice.

3 Consultation and Equality Impact

- 3.1 There are no consultation and equality impact implications from this report.

4 Alternative Options and Reasons for Rejection

- 4.1 It is considered good practice by the CIPFA Treasury Management Code of Practice that Council receive a half year monitoring report therefore there are no alternative options to consider.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 These are considered throughout the report.

5.2 Legal Implications including Data Protection

- 5.2.1 Having a Treasury Management Strategy in place complies with the requirements of the Local Government Act 2003 and updated advice and guidance from the Government and CIPFA.

5.3 Human Resources Implications

- 5.3.1 These are covered throughout the report.

6 Recommendations

- 6.1 That Council note the treasury management activities undertaken during the period April to September 2019 as outlined in **Appendix 1**.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>Has the relevant Portfolio Holder been informed</p>	Yes
<p>District Wards Affected</p>	None directly
<p>Links to Corporate Plan priorities or Policy Framework</p>	Providing Excellent customer focussed services

8 Document Information

Appendix No	Title
None	Treasury Management Activity April – September 2019
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
Report Author	Contact Number
Jayne Dethick – Chief Accountant and S151 Officer	(01246) 217078

Treasury Management Activity April – September 2019**PWLB Borrowing**

The Council's total outstanding PWLB debt amounted to £150.846m at 1st April 2019. During the first two quarters of 2019/20 £1.152m has been repaid to the PWLB so the balance at 30th September 2019 is £149.694m. During the current financial year no new loans have been taken out with the PWLB. The profile of the outstanding debt is analysed as follows: -

PWLB Borrowing	Maturity Profile 31 March 2019 £'000	Maturity Profile 30 September 2019 £'000
Term		
12 Months	1,304	152
1 - 2 years	304	304
2 - 5 years	6,420	6,420
5 - 10 years	25,402	25,402
10 - 15 years	28,326	28,326
Over 15 years	89,090	89,090
Total PWLB Debt	150,846	149,694

PWLB Interest

The interest cost to the Council of the PWLB debt for 2019/20 is shown in the table below. The cost is split between the HRA and General Fund based on the level of debt outstanding within the CFR.

Date	Amount Paid to PWLB £'000
Accrued Interest re 2018/19	(46)
23 rd September 2019	146
30 th September 2019	2,525
Accrued Interest re 2019/20	32
Total Paid	2,657

Temporary Borrowing

Cash flow monitoring and management serves to identify the need for short term borrowing to cover delays in the receipt of income during the course of the year. During the period up to 30th September 2019 the Council had no need for temporary borrowing.

Temporary Investments

The tables below detail the short term investments made during the first two quarters of 2019/20: -

Bank Name	Duration of Loan	B/Fwd 01/04/19 £000's	Amount Invested 2019/20 £000's	Amount Returned 2019/20 £000's	Balance Invested 30/9/19 £000's	Interest Received 30/9/19 £000's
Santander	Call	35	11,007	(6,000)	5,042	(7)
Handelsbanken	Call	5	12,303	(12,300)	8	(3)
Barclays	Call	0	4,000	0	4,000	0
Federated Fund 3	Call	3,000	11	(11)	3,000	(11)
Federated GBP 3	Call	2,000	9	(9)	2,000	(9)
Aberdeen Standard	Call	5,000	1,017	(1,017)	5,000	(17)
CCLA Public Sector Deposit Fund	1 Day Call	5,000	19	(19)	5,000	(19)
King & Shaxson	1 Year	1,000	1,004	(1,002)	1,000	(4)
Eastleigh Borough Council	3 Months	1,000	1	(1,001)	0	(1)
Lancashire County Council	1 Year	2,000	2	(2,002)	0	(2)
Cheshire East Borough Council	14 months	1,000	0	(1,000)	0	(0)
Total		20,040	29,371	(24,361)	25,050	(73)

Overnight Investments

The balance of the daily surplus funds can be placed as overnight investments with the Councils bank which is Lloyds. The maximum amount invested with Lloyds in the first quarter of the financial year was £4.991m. There has been no breach of the £5m limit set in the Treasury Management Strategy. For clarity, this limit relates to the amount invested and doesn't include interest accruing as a result. The interest earned from daily balances to 30th September 2019 is £9,635.67.

Compliance with Treasury Limits

During the financial year the Council continued to operate within the treasury limits set out in the Council's Borrowing and Investment Strategy.

	Actual 2019/20 £'000	Set Limits 2019/20 £'000
Authorised Limit (total Council external borrowing limit)	183,818	205,823
Operational Boundary	150,194	200,823

North East Derbyshire District Council

Council

11 November 2019

Change to the Constitution – Joint Employment and Appeals Committee –North East Derbyshire District Council only appointments – referral by Standards Committee

Report of the Chair of Standards Committee

This report is public

Purpose of the Report

- To put to Members a mid-year change to the Constitution in relation to Member Panels for interviewing and appointing North East Derbyshire only members of SAMT.

1 Report Details

- 1.1 A report was submitted to Standards Committee on **19 September 2019** in relation to the options for the interview panel for SAMT appointments which are North East Derbyshire only appointments. Members will have seen elsewhere on this agenda that such appointments are being put forward for consideration and ratification of these arrangements.
- 1.2 Standards Committee's recommendation is shown at **Appendix 1**.

2 Conclusions and Reasons for Recommendation

- 2.1 There is now a need for a Panel to deal with recruitment and selection and disciplinary matters relating to the appointment of SAMT members who work solely for North East Derbyshire District Council. Such posts had not in the immediate past been part of the establishment.
- 2.2 Members of Standards Committee were given options from which to choose an appropriate Panel for the Authority and this is what is recommended for approval.

3 Consultation and Equality Impact

- 3.1 There are no consultation or equality issues in relation to this matter.

4 Alternative Options and Reasons for Rejection

- 4.1 This was the Panel preferred by the Standards Committee. It was a matter of choice for that Committee as to what to recommend.

5 Implications

5.1 Finance and Risk Implications

5.1.1 There are no financial or risk implications from this report.

5.2 Legal Implications including Data Protection

5.2.1 The Council has to have its arrangements for selecting and disciplining SAMT members within its Constitution so that arrangements are transparent. To reflect changing structures there was a need to make sure a Panel of Bolsover Members existed to interview for North East Derbyshire only posts.

5.2.2 There are no Data Protection implications from this report.

5.3 Human Resources Implications

5.3.1 As in the report

6 Recommendations

6.1 That Members approve the recommendation from Standards Committee.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	None
Links to Corporate Plan priorities or Policy Framework	All indirectly

8 Document Information

Appendix No	Title
1	Extract from Standards Committee Minutes of 19 th September 2019
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Sarah Sternberg, Monitoring Officer	2414

AGIN 12 (COUNC 1111) 2019 – JEAC – Constitution Changes

Appendix 1

Council

11 November 2019

RECOMMENDED ITEM FROM STANDARDS COMMITTEE – 19th September 2019

DRAFT MINUTE EXTRACT

258 Review of the Council's Constitution

Members gave consideration to the list of areas for review within the Council's Constitution prior to submission as part of the annual review of the Constitution to Council for adoption.

Contained within Appendix 1 were two areas of review to consider with a proposal and rationale for change.

Joint Employment and Appeals Committee

It was highlighted that the Terms of Reference for the Joint Employment and Appeal Committee did not make mention of a scenario where one singular Authority may need to undertake recruitment for an SAMT Member who would work solely for that Authority. Suggested wording was offered to the meeting to be inserted in to the Terms of Reference to permit this.

Following discussion it was agreed that the following wording be inserted:-

“Where the Authority determinates to recruit a Head of Service or Director post outside the Strategic Alliance or determines to take any disciplinary action in relation to such a post the Member Panel will be called the Employment and Appeals Committee and will comprise of the four Members of the Joint Employment and Appeals Committee.

The Terms of Reference for the Employment and Appeals Committee will be as for the JEAC with the exception that the appointment or disciplinary process relates to an NEDDC employee only.”

RESOLVED – That the suggested changes be recommended to Council for adoption.

Agenda Item 15

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Document is Restricted

Agenda Item 16

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted