

Public Document Pack



**North East
Derbyshire**
District Council

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Date: Friday, 6 November 2020

To: **All Members of the Council**

You are summoned to attend a meeting of the Council to be held on **Monday, 16 November 2020 at 3.00 pm in the held on the Zoom Meeting Platform**. Access credentials to the meeting will be sent to you under separate cover. This meeting will be audio live streamed to the website via YouTube.

Group meetings will be arranged, where necessary, by the Group Leaders.

Yours sincerely

Virtual Attendance and Hybrid Meetings

I have provided the Leader and Deputy Leader with advice on the holding of “hybrid” meetings outlining the risks including to employees dealing with the Chamber and to Members. Hybrid meetings are those where some attendance is in person in the Council Chamber and some is virtual. I would encourage you all to attend virtually. Accordingly if you attend in person you will be deemed to have accepted the following disclaimer as applying.

Risk Assessment Disclaimer

When attending this meeting in person, I confirm that I have read and understood the contents of each of the following risk assessments and agree to act in line with its content.

- RA – Return to Work Mill Lane Covid 19 V13
- Mill Lane Coronavirus Control Measures V8

Both documents have been emailed to Members and are available on the Modern.Gov App library.

The same advice is given to officers who are also encouraged to participate in the meeting remotely.

A handwritten signature in cursive script that reads "Sarah Steuberg".

Joint Head of Corporate Governance and Monitoring Officer

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 items on the agenda and withdraw from the meeting at the appropriate time.

3 Minutes of Last Meeting (Pages 6 - 17)

To approve as a correct record and the Chair to sign the attached Minutes of the Council meeting held on 14 September 2020.

4 Chair's Announcements

To receive any announcements that the Chair of the Council may desire to lay before the meeting.

5 Leader's Announcements

To receive any announcements that the Leader of the Council may desire to lay before the meeting.

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 twelve clear working days before the meeting.

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

7 Appointments to Committees and Advisory Groups (Pages 18 - 25)

To give consideration to amendments to the allocation of committee seats and appointments to committees following changes to proportionality.

8 Recruitment of a New Independent Person (Pages 26 - 35)

Report of Councillor W Armitage, Chair of the Standards Committee, on the recruitment process for the appointment of a new Independent Person.

9 Council Plan Review

To receive a presentation from Karen Hanson, Director of Environment and Enforcement.

10 Bid for Clay Cross

To receive a presentation from Gill Callingham, the Director of Growth and Economic Development.

11 Treasury Management Update (Pages 36 - 40)

Report of Councillor P Parkin, Portfolio Holder for Finance.

12 Vision Derbyshire - TO FOLLOW

Report of the Leader of the Council

13 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 twelve clear working days before the meeting.

Question submitted by Cllr N Barker to Cllr A Dale, Leader of the Council

Following the decision from Government not to provide vouchers for those children receiving free school meals over the school holiday periods, can the Leader inform the Council as to what THIS Council is going to do to help provide meals to the 1500 or so children, and their families, who receive free school meals in our District during any school holiday whilst the COVID crisis is still ongoing?

14 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 twelve clear working days before the meeting.

(a) Motion submitted by Councillor R Shipman

Council notes:

- *That 16% (2019 figures) of state school children in Derbyshire rely on free school meals during term time. The recent decision to not extend the free food voucher scheme, implemented at the start of the pandemic, for over the summer holidays. The Covid-19 crisis means we are in unprecedented times.*

Council resolves:

- *To work with all stakeholders across North East Derbyshire to deliver weekly food parcels to children who are entitled to free school meals starting from 7th December until 18th January.*
- *To continue with the regular food bank collection points and engage*

with food retailers to assist with gathering food supplies to support the scheme.

- That if supplies are greater than the demand for the service, look at other vulnerable groups to deliver parcels to.*
- To report back to full Council on how many people have been supported through the scheme.*

(b) Motion submitted by Councillor N Barker

Council Notes:

- Following the full council meeting on 12th October 2020, the video footage was taken down from YouTube, edited to remove offensive words and re-uploaded with 10 seconds of content removed*
- All Councillors are responsible for their own behaviour in their role as a member of this council and should follow the Nolan Principles*
- The Nolan principles call for Holders of public office to act and take decisions in an open and transparent manner. That Information should not be withheld from the public unless there are clear and lawful reasons for so doing.*

Council resolves:

- That all video and audio footage should remain available online and by written request for 12 months from the date the video was recorded.*
- That no video or audio footage of council meetings, committees or sub-committees shall ever be edited.*

15 Exclusion of Public

The Chair to move:-

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

16 Appointment of Senior Officers - TO FOLLOW

To note the newly made appointments to SAMT

17 Chair's Urgent Business

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



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

If you require
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If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

HELD ON MONDAY, 14 SEPTEMBER 2020

Present:

Councillor P Antcliff Chair
Councillor M E Thacker MBE Vice Chair

Councillor W Armitage

“ N Barker
“ J Barry
“ 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

Councillor C D Huckerby

“ A Hutchinson
“ M Jones
“ J Kenyon
“ P R Kerry
“ B Lewis
“ H Liggett
“ J Lilley
“ G Morley
“ S Pickering
“ A Powell
“ C Renwick
“ J Ridgeway
“ M Roe
“ K Rouse
“ D Ruff
“ R Shipman
“ L Stone
“ K Tait
“ R Welton
“ N Whitehead
“ P Windley
“ B Wright
“ P Wright

Also in attendance:-

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

COU/43/20-21 Apologies for Absence

Apologies for absence had been received from Councillors P Parkin, M Potts and T Reader.

COU/44/20-21 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.

No declarations of interest were made at this meeting.

COU/45/20-21 Minutes of the Council Meeting held on 13 July 2020

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

COU/46/20-21 Chair's Announcements

The Chair reported that on Sunday 30 August, along with the Vice Chair, she had greeted walkers at the end of a 5.3 mile walk to commemorate the gay rights pioneer Edward Carpenter. Edward Carpenter lived in Millthorpe for over 40 years from the 1890s. The Chair thanked Councillor C Huckerby for attending as the Ward Member. The Chair congratulated everyone who had taken part and raised money for the Derbyshire LGBT+ centre in Chesterfield as well as raising awareness of the life of Edward Carpenter.

The Chair also reported that at the invitation of Holymoorside and Walton Parish Council she had attended the Parish Service of Commemoration for VJ Day at the War Memorial on 15 August 2020. This marked the end of the Second World War and remembered those who fought in the Far East.

COU/47/20-21 Public Participation

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

No questions from the public had been submitted.

Council considered a report of Councillor J Kenyon, Portfolio Holder for Leisure, Transformation and Climate Change, on the progress made since May 2019 on the Transformation Programme.

Appendix A to the report summarised the progress across all areas of the Transformation Programme and provided an outline of the future direction of the Transformation Programme following a review identified in the Council's Recovery Plan.

Councillor Kenyon stated the Transformation Programme had been started with the aim of transforming how the Council went about its business, to look for cost savings and service improvements as well as emissions reductions. The transformation was not just about saving money but about flexibility and being able to adapt and this had been put to the test with Covid-19. Councillor Kenyon hoped the whole Council could be proud of how the organisation had responded and thanked all officers for their work on the transformation programme.

Councillor Kenyon reported that financially there was a goal to save £2million from 2018 to 2022, which the Council was on track to achieve. There were currently 69 projects, of which most would continue to deliver savings year on year.

The Leader of the Council, Councillor A Dale, echoed the comments made by Councillor J Kenyon and thanked staff for their engagement with the transformation agenda.

Councillor N Barker also thanked staff for all the work during Covid-19, which was still ongoing. He accepted that some progress had been made but there was a lack of detail on how £2million of savings would be made. With regard to the digital transformation he acknowledged this was the way forward but that caution was needed so nobody would be disenfranchised. Councillor N Barker also spoke about Vision Derbyshire and a report that was being considered by the Cabinet at Derbyshire County Council to prepare an alternative route for devolution and a case for a single unitary for Derbyshire.

Councillor A Dale responded that he was committed to Vision Derbyshire as the best way of sustaining a future for the Council but alternative options had to be considered to be prepared for decisions taken by Government and other local councils. Councillor B Lewis confirmed that the County Council was fully committed to the Vision Derbyshire work but it was important that there was also a backup plan in place.

Councillor J Kenyon stated that he was confident in reaching the £2m savings target and that he shared the concern about disenfranchising people who were not using digital channels and stated that the best way to prevent that was to free up the contact centre by providing digital channels for those who were able to use them.

RESOLVED – That Council notes the progress made to date on the Transformation Programme.

(Head of Paid Service)

COU/49/20-21

Climate Change Update

Council considered a report of Councillor J Kenyon, Portfolio Holder for Leisure, Transformation and Climate Change, which provided an update on actions and initiatives that the Council had undertaken in order to meet its climate change objectives. The update was based on the themes of the Climate Change Plan:

- Theme 1 – Sustainable Buildings and Workplaces
- Theme 2 – Renewable Energy
- Theme 3 – Low Carbon Fleet
- Theme 4 – Transport
- Theme 5 – Planning
- Theme 6 – Community Collaboration
- Theme 7 – Biodiversity
- Theme 8 – Procurement

Councillor J Kenyon highlighted some key areas from the report, including that adapting to Covid-19 had reduced the Council's emissions by over 100 tonnes and the digital transformation was about supporting this work, so that many of the efficiency gains could be maintained.

The Leader of the Council, Councillor A Dale, echoed the comments made by Councillor J Kenyon and thanked staff for their engagement with this agenda.

Members discussed the report. A query was raised about the climate change pack for Parish Councils and Councillor J Kenyon confirmed that this had been sent out to all parishes.

RESOLVED – That Council notes the update.

(Head of Paid Service)

COU/50/20-21

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.

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

(a) Question submitted by Councillor N Barker

Can the Leader update the Council on how the COVID crisis has impacted on the financial position of the Council and Rykneld Homes, with special reference to their Capital Programmes?

Councillor A Dale responded that the pandemic was having a detrimental impact on the current year's budget and cash flow. The main concern was the lost income from fees and charges. The Council had received a grant from Government totaling £1.2m, which had been very welcome and the Government income compensation scheme for lost fees and charges was expected to help to cover some of the forecasted income losses. At the start of the national lockdown budget controls had been quickly put in place to limit expenditure to essential items only and the capital programme was paused to protect the cash flow position. Projects had recommenced as soon as was practicable. In May work on the housing capital programme had recommenced and Rykneld Homes had accelerated work on the external major work programme. Councillor A Dale stated that collection rates had been better than forecasted, and at the end of August 2020 Council tax was down 1.5% on last year, business rates were down by 4%, and rental income was just 1.4% lower than the same period last year. The budget position would continue to be monitored and a process to revise the budget was already underway.

Councillor A Dale added that the position of Rykneld Homes was strong and enabled full housing services to be provided to customers and budgets were currently being reviewed to ensure the post-covid business recovery plan could be delivered.

SUPPLEMENTARY QUESTION

In exercising his right to ask a supplementary question Councillor N Barker asked for reassurance regarding Whiteleas Avenue.

Councillor A Dale responded that he was also keen to see progress and the current plan was to start consulting with residents in October 2020. Following that a revised delivery programme would be developed, with a view to be on site in late Spring 2021.

(b) Question submitted by Councillor J Barry

Can the Leader summarise what the District Council did to commemorate VJ Day?

Councillor A Dale responded that the Council had originally intended to host one community event to commemorate VJ Day, in addition to the two events planned in Clay Cross and Killamarsh for VE Day. When the national VE day programme of events was cancelled by the Queen's Pageant Master due to Covid-19 it had been hoped to reschedule these events to the 15 August. This had not been possible as the national guidance was that large scale outdoor gatherings should be avoided wherever possible and the Queen's Pageant Master had also advised against holding large events for VJ Day. Due to the national guidance and continued uncertainty, especially with regard to events involving those in vulnerable categories, officers took the decision not to host a community event. The Council had supported the VJ commemoration and the Chair of the Council had attended an event held by Holymoorside and Walton Parish Council. Councillor A Dale expressed his disappointment that the Council had not hosted an event and stated that should the restrictions allow, the Council planned to hold a 1940s themed celebration event next year to ensure that both VE Day and VJ Day and the huge sacrifices of the Armed Forces could be commemorated.

SUPPLEMENTARY QUESTION

In exercising her right to ask a supplementary question Councillor J Barry asked why an event had not been held.

Councillor A Dale responded he had not been aware that the event had been cancelled and that he would have encouraged a small commemorative event in line with Covid-19 restrictions. He recognised that this was extremely important to many people across the District. Councillor Dale committed, subject to the Covid-19 regulations, to the Council running an event in 2021 which would provide the commemoration and recognition these days deserved.

(c) Question submitted by Councillor M Jones

Food drop offs have ceased just at a point where more people are out of work and unable to feed themselves and their families. The food parcels that the Council put together helped a great many people and to stop it now when numbers of COVID-19 are on the rise in NEDDC seem illogical. Can the Leader enlighten us as to why this has happened and what reasons are behind it?

Councillor A Dale thanks Councillor M Jones for the question and responded, firstly by clarifying that during the lockdown there had been two separate schemes to provide food and other essential items for vulnerable residents. The Government had introduced the shielding scheme for the clinically extremely vulnerable. This scheme had included the provision of food boxes which were provided by central government with the assistance of the

Council along with Derbyshire County Council, and Rykneld Homes. This service ceased on 31 July following a decision by central Government that the shielding scheme was no longer required. In addition to the Government shielding scheme, the Council and Rykneld Homes had worked together to ensure that all residents could access urgent support when needed. Up to last week the Council had received a total of 6772 contacts for support but this had been reducing slowly and only one such request had been made since 30 July. There has been no decision to cease support but demand had significantly reduced and the Council had not received any requests for food parcels in recent weeks. If a request was made from a vulnerable resident then the Council would offer what support it could.

SUPPLEMENTARY QUESTION

In exercising her right to ask a supplementary question Councillor M Jones asked if the food drop offs could continue given the possibility of a second wave of Covid-19?

Councillor A Dale responded that the Council was preparing for the possibility of a second wave and the Council was ready to support residents and depending on the circumstances food deliveries would be part of the support if necessary. Councillor A Dale stated that part of planning for any future support was to balance continuing to provide day to day services along with emergency provision within the national restrictions.

COU/51/20-21

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 twelve clear working days before the meeting.

(a) Motion proposed by Councillor D Hancock

***“Council notes** the concerns raised by numerous ward members, residents and the Planning Committee questioning the content of responses submitted by the Highways Authority.*

***Council believes** that, as a responsible planning authority, it has a duty to everyone to ensure that development is sustainable and that all planning decisions should be robustly determined; and that it should have full confidence in the information it is provided with as part of our process.*

***Council resolves** to raise the significant concerns, with Derbyshire County Council Highways, of elected members and the public regarding the accuracy of their responses to consultations and, what would appear to be, numerous failings to*

include the cumulative impact of other proposed development (as required in the National Planning Policy Framework)”.

In presenting his Motion Councillor D Hancock stated that this was an issue experienced with many planning applications. The responses received from Derbyshire County Council Highways Authority, as a statutory consultee, were often non-committal and lacked accurate data.

Councillor R Shipman seconded the Motion and stated that the reports received were not what was required for a planning committee to properly consider the applications.

Councillor N Barker proposed an amendment to the Motion as follows:-

AMENDMENT

*“**Council notes** the concerns raised by numerous ward members, residents and the Planning Committee questioning the content of responses submitted by the Highways Authority.*

***Council believes** that, as a responsible planning authority, it has a duty to everyone to ensure that development is sustainable and that all planning decisions should be robustly determined; and that it should have full confidence in the information it is provided with as part of our process.*

Council resolves** to ~~raise the significant concerns, with Derbyshire County Council Highways, of elected members and the public regarding the accuracy of their responses to consultations and, what would appear to be, numerous failings to include the cumulative impact of other proposed development (as required in the National Planning Policy Framework)~~ **to refer this to the relevant scrutiny committee for consideration”.

The amendment was seconded by Councillor J Barry, stating that this needed to be considered by a scrutiny committee so the issue could be moved forward. The south of the County had a large number of upcoming developments and there was a poor infrastructure in relation to highways, which needed to be addressed.

Councillor C Cupit stated that she understood the concerns that had been raised but that this Motion was not the correct way to deal with those concerns. In order for Highways to object to a proposal the impact had to be demonstrably severe, which was difficult to illustrate, and it was still important that Ward Councillors raised particular issues and provided local knowledge. She suggested that Councillors could continue to raise individual cases with Highways and that planning officers

were working with Highways to invite them to a meeting of Planning Committee to discuss this and other matters.

Councillor A Dale stated that he shared some of the sentiments behind the Motion but as Councillor C Cupit had highlighted there were protocols and regulations to be followed. He also stated that scrutiny committees had to independent and set their own work programme.

Councillor M Foster reiterated that the scrutiny committees should be deciding their own topics for consideration.

Councillor R Shipman stated that this issue needed to be addressed now and would not support the amendment.

Councillor N Barker stated that the amendment had been intended to find a route for the public to get involved.

Councillor D Hancock stated that he did not support the amendment. He added that Highways had not been adhering to the National Planning Policy Framework (NPPF) and the issues that this caused had to be highlighted.

Councillor B Wright declared that he was a member of Derbyshire County Council and the County Council's Planning Committee. He remained in the meeting and voted on the Motion.

The Amendment was **DEFEATED**.

The Motion, as moved, was then voted on and was also **DEFEATED**.

(b) Motion proposed by Councillor R Shipman

***“Council notes** the extent of new development in North East Derbyshire, both speculative and in line with the draft Local Plan.*

***Council believes** that all planning decisions should be robustly enforced.*

***Council resolves** to increase the capacity of the planning enforcement team”.*

In presenting his Motion Councillor R Shipman stated that this was put forward to increase the Council's capacity with regard to enforcement.

Councillor D Hancock seconded to Motion and stated that the Council covered a large area geographically and with a lot of building projects the capacity of planning enforcement needed to be increased.

Councillor C Cupit stated that work was already underway in regard to this, including developing an enforcement plan and to review and invest in the structure of the planning and enforcement team. The enforcement plan would set out what was expected of the enforcement system and would set out clear targets for responses and the monitoring of enforcement cases.

Councillor R Shipman stated that as work was already underway to address this matter he would withdraw the Motion. Councillor D Hancock, who seconded the Motion, confirmed that he was in agreement to withdraw the Motion.

The Motion was **WITHDRAWN**.

(c) Motion submitted by Councillor N Barker

“The Labour Group has concern that on 6 August 2020, the Government published a White Paper entitled ‘Planning for the Future’ with the aim of ‘slashing red tape and accelerating house building’. With this in mind with regards to responding to the consultation we request that the Council resolves to:-

Respond to the consultation highlighting the Council’s concerns that:-

- *The proposals will give Central Government the powers to set arbitrary housing delivery numbers for each authority;*
- *They will remove the opportunity for communities to comment on individual planning applications;*
- *They could leave to unregulated development and as such could be a precursor to what some have termed a ‘slum charter’;*
- *The removal of Section 106 and CIL’s could lead to less affordable housing being built and the prospect of embedding regional inequalities.*

In presenting his Motion Councillor N Barker stated that the planning system was far from perfect but he had concerns about the implications of the White Paper. He stated that one of the main issues was losing the ability to question things at a planning committee and the introduction of growth areas, which once designated as such would have statutory outline planning permission. This would remove the ability for local communities to comment on planning proposals.

Councillor P Windley seconded the Motion and stated that this White Paper stripped local authorities of any legitimate control

over development in their area. She believed these proposals were based solely to address London's needs.

Councillor J Barry hoped that the Leader of the Council would agree that the decisions regarding development within the District should remain the responsibility of local people and their representatives and asked if he would go against the White Paper to keep planning matters local.

Councillor A Dale responded that he believed local people should be involved in planning decisions. He stated that whilst he had some concerns about elements of the White Paper there were other aspects which were positive.

Councillor C Cupit welcomed discussion on the White Paper but noted that many of the concerns that had been raised were not contained with the White Paper and that it was clearly stated that it was intended to cut red tape not standards. She welcomed some aspects of the proposals, such as the chance to put forward a locally based infrastructure levy and placing a greater emphasis on communities and residents having more input. Councillor C Cupit concluded that it was a consultation on headline ideas.

Councillor R Shipman stated that whilst there was some good elements to the White Paper these were eroded by giving away any local decision making power. He stated that he thought it would create more inappropriate developments.

Councillor S Pickering stated that it was a centralisation of the planning system and it was to the advantage of property developers at the expense of local people.

Councillor N Barker stated that he had read the White Paper and he felt it lacked detail. He added that if there had been local plan steering groups this could have been discussed in that forum.

The Motion was **DEFEATED**.

(d) Motion submitted by Councillor P Windley

“Council notes the recent proposed changes in the Government’s White Paper Planning for the Future. These include handing powers away from Development Management Committees and to government run development corporations and a further expansion of permitted development rights, including the right for developers to build upwards without planning permission.

Council believes that the Government’s current National Planning Policy Framework seriously constrains council’s powers to insist that developers provide affordable housing or infrastructure such

as schools, GP surgeries or improved public transport in new development.

Council resolves for the Leader of the Council to write to the Secretary of State for the Ministry of Housing, Communities and Local Government to reform planning rules to give local Councils more power to:-

- Insist on improved infrastructure with new developments;*
- Challenge viability assessments that allow developers to get away without providing adequate affordable housing for local young people;*
- Scrap permitted development rights that lead to substandard homes being built”.*

Councillor P Windley reported that she wished to withdraw the Motion.

The Motion was **WITHDRAWN**.

COU/52/20-21 Chair's Urgent Business

There was no Chair's urgent business to be considered at this meeting of Council.

North East Derbyshire District Council

Council

16 November 2020

Appointments to Committees and Advisory Groups

Report of the Monitoring Officer and Solicitor to the Council

This report is public

Purpose of the Report

- To make amendments to the appointment of Members to the Council's Committees and Advisory Groups for the 2020/21 Municipal Year following a change to the Council's political groups affecting proportionality.

1 Report Details

- 1.1 There has been a change in the numbers within a political group of the Authority, with Clive Hunt vacating his seat of office through Section 85 of the Local Government Act. This affects the overall proportionality of allocation of committee seats, and accordingly this should be revised at the earliest opportunity.
- 1.2 This report therefore brings forward the allocation of seats to political groups in accordance with the Political Balance rules.
- 1.3 **Appendix 1** to the report sets out the allocation of committee seats which best meets the requirements of Section 15 of the Local Government and Housing Act 1989 as far as is reasonably practicable.
- 1.4 **Appendix 2** amends the current appointments to committees following the changes to allocations as identified in Appendix 1. Political Groups are able to make changes where necessary to their appointments to Committees, and nominations to and removals from committees are requested in some instances.
- 1.5 Members should discuss any changes to Committee and Advisory Group Appointments with the Leaders of their Political Groups in advance of the Council meeting.
- 1.6 The Committees are subject to the political balance requirements of the Local Government and Housing Act 1989. The Advisory Groups are not subject to the political balance requirements.

2 Conclusions and Reasons for Recommendation

- 2.1 The report recommends that the allocation of Committee seats detailed best meets the requirements of Section 15 of the Local Government and Housing Act as far as reasonable practicable.

2.2 Existing appointments to Committees are detailed in Appendix 2 requesting amendments from political groups.

3 Consultation and Equality Impact

3.1 Group Leaders, Statutory officers, the Leader and the Governance Team have been consulted on the political balance.

3.2 An Equality Impact Assessment has not been necessary.

4 Alternative Options and Reasons for Rejection

4.1 The Council may make amendments to the nominations to committees within the proportionality agreed before and up to the discussion of this matter at the meeting. Any further revisions will be brought before a meeting of Council.

5 Implications

5.1 Finance and Risk Implications

5.1.1 None

5.2 Legal Implications including Data Protection

5.2.1 The Council is required to decide the allocation of seats to political groups in accordance with the Political Balance rules.

5.2.2 The Local Government Act 72 expressly provides that where a council member fails throughout a period of six consecutive months from the date of their last attendance at any meeting of the authority, then they cease to be a member of that Authority, unless the failure was due to some reason approved prior to the expiry of that period.

5.3 Human Resources Implications

5.3.1 None.

6 Recommendations

6.1 That the Council agrees the allocation of seats of Committees as detailed in Appendix 1 is in accordance with the political balance rules;

6.2 That the appointment to committees as set out in Appendix 2 be agreed; and

6.3 That it be noted that a vacancy has automatically arisen on the Authority and the notice of Vacancy will be made, with elections held at the earliest May 2021.

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:</p> <p><i>BDC:</i> <i>Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/></p> <p><i>NEDDC:</i> <i>Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/></p> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	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>	N/A
<p>District Wards Affected</p>	None directly
<p>Links to Corporate Plan priorities or Policy Framework</p>	Demonstrating good governance

8 Document Information

Appendix No	Title
1	Proportionality on Committees
2	Appointments to Committees
<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>	
None	
Report Author	Contact Number
Nicola Calver, Governance Manager	01246 217753

	Seats on Council	Proportionality
Total seats	53	100.00%
Conservative Group	30	56.604%
Labour Group	17	32.075%
Liberal Democrat Group	3	5.660%
Independent Group	2	3.77%
Vacancy	1	1.89%

Ordinary Committees	Total seats on Committee	Conservative Group		Labour Group		Liberal Democrat Group		Independent Group		Vacancy		Total seats allocated
		Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	
Licensing Act Committee	14	7.92	8	4.49	5	0.79	1	0.53	0	0.26	0	14
Licensing General Committee	14	7.92	8	4.49	5	0.79	1	0.53	0	0.15	0	14
Planning Committee	13	7.36	7	4.17	4	0.74	1	0.49	1	0.13	0	13
Standards Committee	9	5.09	5	2.89	2	0.51	1	0.34	0	0.09	1	9
Total Seats on Ordinary Committees	50	28.30	28	16.04	16	2.83	4	1.89	1	0.64	1	50

* Standards Committee - Ind offered their seat to Lib De

Scrutiny Committees	Total seats on Committee	Conservative Group		Labour Group		Liberal Democrat Group		Independent Group		Vacancy		Total seats allocated
		Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	
Audit & Corporate Governance Scrutiny Committee	9	5.09	5	2.89	3	0.51	1	0.34	0	0.09	0	9
Communities Scrutiny Committee	9	5.09	5	2.89	3	0.51	1	0.34	0	0.09	0	9
Growth Scrutiny Committee	9	5.09	5	2.89	3	0.51	0	0.34	1	0.09	0	9
Organisation Scrutiny Committee	9	5.09	5	2.89	3	0.51	0	0.34	1	0.09	0	9

Joint Committees*	Total seats on Committee	Conservative Group		Labour Group		Liberal Democrat Group		Independent Group		Vacancy		Total seats allocated
		Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	
Joint ICT	3	1.70	2	0.96	1	0.17	0	0.11	0	0.04	0	3
Joint Scrutiny Panel	3	1.70	2	0.96	1	0.17	0	0.11	0	0.04	0	3

* Note – For political balance to apply, there must be at least three seats to be filled on joint committees (excl executive committees)

Advisory/Working Groups *political balance rules don't apply	Total seats on Group	Conservative Group		Labour Group		Liberal Democrat Group		Independent Group		Vacancy		Total seats allocated
		Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	Proportion of seats	Allocated Seats	
JCG	3	1.70	3	0.96	0	0.17	0	0.11	0	0.06	0	3
MDWG	7	3.96	4	1.28	1	0.40	1	0.26	1	0.08	0	7
LPSG	8	4.53	5	1.60	2	0.45	0	0.30	1	0.09	0	8
Total seats	18	10.19	12	3.85	3	1.02	1	0.68	2	0.23	0	18

*Ind Group have the additional seat on LPSG

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

16 NOVEMBER 2020

APPOINTMENT TO COMMITTEES AND ADVISORY GROUPS

COMMITTEES

COMMITTEE	CONSERVATIVE GROUP	LABOUR GROUP	LIBERAL DEMOCRAT GROUP	INDEPENDENT GROUP	VACANCY	TOTAL SEATS
Audit & Corporate Governance Scrutiny	(5) Cllrs W Armitage, S Clough, M Foster, A Hutchinson & M Roe	(3) Cllrs N Barker, P Kerry, & G Morley	(1) Cllr R Shipman			9
Communities Scrutiny	(5) Cllrs L Deighton, O Gomez Reaney, R Hall, C Huckerby & K Tait	(3) Cllrs N Barker, J Birkin & J Lilley	(1) Cllr D Hancock			9
Growth Scrutiny	(5) Cllrs P Antcliff, M Emmens, A Hutchinson, R Welton & N Whitehead	(3) Cllrs S Cornwell, L Hartshorne & N Barker		(1) Cllr J Funnell		9
General Licensing Committee	(8) Cllrs P Antcliff, P Bone, M Emmens, C Huckerby, H Liggett, M Roe, R Welton & P Wright	(5) Cllrs P Kerry, A Holmes, S Pickering, L Stone & T Reader	(1) Cllr P Windley			14
Licensing & Gambling Acts Committee	(8) Cllrs P Antcliff, P Bone, M Emmens, C Huckerby, H Liggett, M Roe, R Welton & P Wright	(5) Cllrs P Kerry, A Holmes, S Pickering, L Stone & T Reader	(1) Cllr P Windley			14
Organisation Scrutiny	(5) Cllrs P Bone, A Foster, H Liggett, M Potts & P Wright	(3) Cllrs J Birkin, M Jones and P R Kerry		(1) Cllr J Funnell		9

Planning	(7) Cllrs W Armitage, P Elliott, M Foster, C Huckerby, M Potts, A Powell & D Ruff Substitutes: Cllrs P Antcliff, S Clough, H Liggett & R Hall	(4) Cllrs J Barry, T Reader, J Ridgway and K Rouse Substitutes Cllrs L Hartshorne, E A Hill and M Jones	(1) Cllr R Shipman Substitute: Cllr P Windley	(1) Cllr A Cooper Substitute: Cllr J Funnell		13
Standards	(5) Cllrs P Antcliff, W Armitage, H Liggett, M Roe & D Ruff	(2) Cllrs K Rouse, J Ridgway & P Kerry REDUCED BY ONE – PLEASE REMOVE A MEMBER	(1) Cllr D Hancock	(0)	(1) SEAT REMAINS VACANT	9 plus 2 parish reps

JOINT COMMITTEES

COMMITTEE	CONSERVATIVE GROUP	LABOUR GROUP	LIBERAL GROUP	DEMOCRAT	INDEPENDENT GROUP	VACANCY	TOTAL SEATS
Joint Crematorium	(4) Cllrs C Cupit, J Kenyon, P Parkin and A Powell						4
Joint ICT Committee	(2) Cllrs K Tait & N Whitehead	(1) Cllr J Lilley					3
Joint Scrutiny Panel	(2) Cllrs L Deighton & R Welton	(1) Cllr J Barry					3
Joint Employment & Appeals Committee	(3) Leader Deputy Leader Cabinet Portfolio Holder	(1) Leader of the Opposition					4 from NEDDC and 4 from Bolsover

ADVISORY GROUPS

COMMITTEE	CONSERVATIVE GROUP	LABOUR GROUP	LIBERAL GROUP	DEMOCRAT	INDEPENDENT GROUP	VACANCY	TOTAL SEATS
Council Joint Consultative Group (plus named substitutes)	(3) Cllrs A Dale, A Powell & M Thacker MBE						3 plus 6 representatives of employees and officers
Member Development Working Group	(4) Cllrs K Bone, A Dale, R Hall & M Potts	(1) Cllr J Birkin		(1) Cllr P Windley	(1) Cllr A Cooper		7 members
Local Plan Steering Group	(5) Cllrs P Antcliff, W Armitage, C Cupit, A Powell & D Ruff	(2) Cllrs N Barker & S Pickering			(1) Cllr A Cooper		8 plus officers
Site Inspection Group (plus named substitutes)	(2) Cllrs A Powell & D Ruff	(1)					3 plus local Members and appropriate Officers

North East Derbyshire District Council

Council

16 November 2019

Recruitment of Independent Persons

Report of the Councillor William Armitage, Chair of the Standards Committee

This report is public

Purpose of the Report

- To consider future recruitment arrangements for Independent Persons.

1 Report Details

- 1.1 The Localism Act 2011 required the Council to appoint Independent Persons who must be consulted by the Authority before a decision is taken on a complaint against a member and who may be consulted by the member and at any other time by the Authority.
- 1.2 To be appointed, an Independent Person must go through a recruitment process and not have been a member, co-opted member or officer of the Authority or a Parish Council in the District or be a relative or close friend of any such person. They also cannot have been a member or officer of the District or Parish Council in the last five years.
- 1.3 The Council appointed Mr Graham Hudson at the May 2019 Annual Meeting for a four year term which will expire in May 2023. Mr Stuart Hooton was first appointed by Council in July 2012 and his term of appointment was later extended to March 2023.
- 1.4 Mr Stuart Hooton has indicated that he wishes to resign from his appointment and therefore the Council will need to consider re-advertising the position for one Independent Person.
- 1.5 The Council has enjoyed a constructive relationship with its Independent Persons when it has needed to call on them and Mr Hooton has added great value to this process over his 8 year appointment.
- 1.6 The Council have previously considered reducing the number of Independent Persons employed by the Council to one. However having two allows the Council to use the Independent Persons at different stages of the complaints process. It also provides breadth of experience and ensures continuity in case of sickness, annual leave or other non-availability.

- 1.7 Each time an Independent Person resigns from office, there is a need to bring a report such as this to Council to request recruitment. This report requests delegated authority for the Monitoring Officer to be able to commence such a process without bringing a report to Council requesting to do so. This would be in the event that one or both of the existing Independent People have or wish to resign. A report would still need to be brought in any instance to Council following a recruitment process in order for Members to approve the appointment.

2 Conclusions and Reasons for Recommendation

- 2.1 To consider the arrangements for the Council's Independent Persons.

3 Consultation and Equality Impact

- 3.1 None.

4 Alternative Options and Reasons for Rejection

- 4.1 Council have previously considered and rejected the option of reducing the number of Independent Persons employed by the Council to one. Having two allows the Council to use the Independent Persons at different stages of the complaints process. It also provides breadth of experience and ensures continuity in case of sickness, annual leave or other non-availability.

5 Implications

- 5.1 The cost of employing two Independent Persons is approximately £1,600 per annum and is budgeted for.

6 Recommendations

- 6.1 To approve advertising for a further Independent Person to be appointed until the end of May 2023.
- 6.2 The job description, person specification, job advert, attached as **Appendices 1 to 2** to this report be noted.
- 6.3 Authority be delegated to the Monitoring Officer to carry out the recruitment process for the vacancy, with briefings with each of the Political Group Leaders to keep them abreast of developments.
- 6.4 In the event where one or both of the Independent Persons have or wish to resign, authority be delegated to the Monitoring Officer to start a recruitment process for the appointment of an Independent Person, and that this delegation be referred to the Standards Committee for inclusion in the Delegation Scheme.

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: <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></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>	N/A

8 Document Information

Appendix No	Title
1	Job Description and Person Specification
2	Job Advert
<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>	
None	
Report Author	Contact Number
N Calver	7753

Job Description

Job title and post number	<i>Independent Person</i>
Service Area and Directorate	<i>Governance - Corporate Resources Directorate</i>
Reports to	<i>Monitoring Officer</i>
Direct reports	<i>None</i>
Grade	<i>N/A</i>
Salary range	<i>£800 per annum</i>

Job purpose

To undertake the statutory role of Independent Person appointed under Section 28(7) of the Localism Act 2011 and to help the Council discharge its duty to promote and maintain high standards of conduct amongst members and co-opted members.

Duties and responsibilities

1. Advising the Monitoring Officer in connection with the assessment and post-investigation stage of complaints against councillors and co-opted members.
2. Reading and digesting investigation reports into complaints against councillors and co-opted members.
3. Advising the Hearings Sub-Committee in connection with complaints and potential sanctions where a failure to comply with the code of conduct has been established.
4. Advising councillors and co-opted members of North East Derbyshire District Council and of parish and town councils within North East Derbyshire in connection with complaints made against them under the code of conduct.
5. Assisting North East Derbyshire District Council in discharging its duty to promote and maintain high standards of conduct by councillors and co-opted members of North East Derbyshire District Council and the parish and town councils in its area.

6. Ability to reach balanced and reasoned conclusions having considered complex material and applied an impartial and fair approach to all of the written and oral material provided.
7. Ability to demonstrate and promote a commitment to the Council's equality and diversity policies.
8. Ability to attend day-time meetings at the Council Offices, sometimes at short notice.

Corporate Duties and Responsibilities

To familiarise yourself with the principles of, and key Council documents and policies relating to:

- The Member Code of Conduct
- The Councillor Complaints Procedure
- Data Protection (Employees must at all times abide by the principles of the Data Protection Act 2018 and guidance provided by the Council in the form of policies and procedures).

This job description sets out a summary of the key features of the role. It is not intended to be exhaustive and will be subject to review (on an annual basis).

Any other duties commensurate with the grade as determined by management.

Any job description provided to you by the Council will not form part of your contract of employment.

Approved by:	<i>Sarah Sternberg</i>
Date approved:	<i>January 2019</i>
Reviewed:	<i>November 2020</i>

PERSON SPECIFICATION

Post Title: Independent Person	Section: Corporate Governance		
Directorate: Corporate Governance and Resources			
Knowledge & Skills (Essential)	AM	(Desirable)	AM
<ul style="list-style-type: none"> • Ability to analyse information in a logical way and form a balanced opinion • Ability to exercise sound judgement • Ability to take an objective view of sometimes emotive situations • Ability to communicate well orally and in writing • Ability to express ideas and points of view effectively whilst being an effective listener • Ability to analyse and solve complex problems 	<p>a & i</p> <p>a & i</p> <p>a & i</p> <p>a & i</p> <p>a & i</p> <p>a & i</p>	<ul style="list-style-type: none"> • Ability to persuade and influence • Knowledge of local government and the role of elected members 	<p>a & i</p> <p>a & i</p>
Qualifications			
<ul style="list-style-type: none"> • A good general education, sufficient to deal with relevant paperwork and issues 	a & c		
Experience			

		<ul style="list-style-type: none"> • Experience of dealing with complaints • Experience of interpreting codes of conduct 	a a
Other Requirements:			
<ul style="list-style-type: none"> • High standards of personal integrity and a commitment to equal opportunities • Firm belief in the importance of high standards of probity and conduct in public life 	a & i a & i		

Key to Assessment Methods (AM); (a) application form, (i) interview, (p) presentation, (c) certificate check (o) others

Equality Act 2010

The ways in which a disabled person meets the criteria for a post must be assessed as they would be after any reasonable adjustments required had been made. In accordance with the Equality Act, candidates will be asked if they have any specific requirements relating to the selections process.

Schedule 9 Part 1.1(1) of the Equality Act also permits targeted recruitment on grounds of Genuine Occupational Requirement.

Approved by:	<i>Sarah Sternberg</i>
Date approved:	<i>January 2019</i>
Reviewed:	<i>November 2020</i>

Independent Person

Ref:

Salary details: £800 honorarium per annum

Job Term: Permanent

Hours: Estimated one to two days per month

Location: Occasional meetings at Council Offices, Mill Lane, Wingerworth, Chesterfield or via Zoom

Could you be one of our Independent Persons?

Local authorities have a duty to promote and maintain high standards of conduct amongst their councillors and co-opted members. The Councils Code of Conduct sets out what is expected of elected office. If a complaint is made that a councillor or co-opted member has failed to comply with the code, your views will be sought by ourselves and can be sought by the person subject to the complaint before a decision is made.

We are looking for an Independent Person who can interpret the code of conduct, balance differing views and bring an independent and informed perspective to the investigative process. This is a role created under the Localism Act 2011.

You will be expected to read and digest complaints and investigation reports, liaise with the Council's Monitoring Officer, councillors and co-opted members and attend some meetings of the standards committee. Knowledge of local government may be an advantage.

To ensure your voice is truly independent, the law rules you out for this role if within the last five years you have been a councillor or co-opted member of North East Derbyshire District Council or any of the parish or town councils within its area - or if you are a close friend or relative of any of those persons.

For an informal discussion please contact Sarah Sternberg, Monitoring Officer on 01246 242414. To apply, please return your completed application form to HR and Payroll, North East Derbyshire District Council, Council, 2013 Mill Lane, Wingerworth, Chesterfield, S42 6NG. Closing date is <to be completed>.

Additional Information for Independent Persons

The Localism Act 2011 introduced a new regime for promoting and maintaining high standards of conduct amongst councillors and co-opted members when acting in that capacity.

As part of these arrangements each local authority must adopt a code of conduct and have arrangements in place for dealing with complaints of breaches of that code by its councillors and co-opted members and by the parish and town councillors in that area.

The new role of the Independent Person is key to the complaints handling process. It is their job to be:

- ⤴ Consulted by the District Council before it makes a finding as to whether a councillor or co-opted member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that councillor/co-opted member;
- ⤴ Consulted by the District Council in respect of a standards complaint at any other stage; and
- ⤴ Consulted by a councillor or co-opted member of the District Council or of a parish or town council against whom a complaint has been made.

A person cannot act as an Independent Person if they are:

- (a) A councillor, co-opted member or officer of North East Derbyshire District Council;
- (b) A councillor, co-opted member or officer of a parish or town council which falls within North East Derbyshire; or
- (c) A relative or close friend of a person in (a) or (b) above.

A relative is defined as:

- (a) The candidate's spouse or civil partner;
- (b) Any person with whom the candidate is living as if they were spouses or civil partners;
- (c) The candidate's grandparent;
- (d) Any person who is a lineal descendent of the candidate's grandparent;
- (e) A parent, brother, sister or child of anyone in paragraphs (a) or (b);
- (f) The spouse or civil partner of anyone within paragraphs (c), (d) or (e); or
- (g) Any person living with a person within paragraphs (c), (d) or (e) as if they were spouse or civil partner to that person.

In addition, a person may not become an Independent Person if, during the last five years ending with the appointment, they were:

- ✦ A councillor, co-opted member or officer of North East Derbyshire District Council;
or
- ✦ A member, co-opted member or officer of a parish or town council within North East Derbyshire.

North East Derbyshire District Council

Council

16 November 2020

Treasury Management Update

Report of Councillor P 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 2020.

1 Report Details

- 1.1 The Council approved the 2020/21 Treasury Management Strategy at its meeting in February 2020. 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 2020.
- 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.

2 Conclusions and Reasons for Recommendation

- 2.1 The report details the treasury management activities for the period April to September 2020 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 2020 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
1	Treasury Management Activity April – September 2020/21
<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>Report Author</p>	
<p>Contact Number</p>	
Jayne Dethick – Head of Finance and Resources	(01246) 217078

Treasury Management Activity April – September 2020/21

PWLB Borrowing

The Council's total outstanding PWLB debt amounted to £149.541m at 1st April 2020. During the first quarters of 2020/21 £0.152m has been repaid to the PWLB so the balance at 30th June 2020 is £149.389m. 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	Maturity Profile
Term	31 March 2020	30 September 2020
	£'000	£'000
12 Months	304	152
1 - 2 years	2,205	2,205
2 - 5 years	10,332	10,332
5 - 10 years	23,377	23,377
10 - 15 years	32,233	32,233
Over 15 years	81,090	81,090
Total PWLB Debt	149,541	149,389

PWLB Interest

The interest cost to the Council of the PWLB debt for 2020/21 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 2019/20	(46)
22 nd September 2020	108
23 rd September 2020	33
28 th September 2020	2,135
29 th September 2020	363
Accrued Interest re 2020/21	45
Total Paid	2,638

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 current year to date short term borrowing from the Council's own bank hasn't incurred any interest charges. At the 30th September 2020 the Council had no temporary borrowing in place.

Temporary Investments

The tables below detail the short term investments made during the first two quarters of 2020/21: -

Bank Name	Duration of Loan	B/Fwd 01/04/20 £000's	Amount Invested 2020/21 £000's	Amount Returned 2020/21 £000's	Balance Invested 30/09/20 £000's	Interest Received 30/09/20 £000's
Santander	Call	3,000	2,003	(5,003)	0	(3)
Handelsbanken	Call	5,000	3	(5,003)	0	(3)
Barclays	Call	0	5,000	(5,000)	0	(0)
NatWest	Call	0	5,001	(5,001)	0	(1)
Federated Fund 3	Call	3,000	3	(3)	3,000	(3)
Federated GBP 3	Call	2,000	3	(3)	2,000	(3)
Aberdeen Standard	Call	5,000	5	(5)	5,000	(5)
CCLA Public Sector Deposit Fund	1 Day Call	5,000	6	(6)	5,000	(6)
Aviva	Call	0	5,003	(3)	5,000	(3)
Invesco	Call	0	5,002	(2)	5,000	(2)
JP Morgan	Call	0	7,000	(3,000)	4,000	(0)
Debt Management Account Deposit Facility	Various	0	33,000	(30,000)	3,000	(0)
Gosport Borough Council	12 Months	1,000	5	(5)	1,000	(5)
Slough Borough Council	1 Year	2,000	8	(8)	2,000	(8)
Total		26,000	62,042	(53,042)	35,000	(42)

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 £4.964m. 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.

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 2020/21 £'000	Set Limits 2020/21 £'000
Authorised Limit (total Council external borrowing limit)	192,439	199,485
Operational Boundary	187,439	194,485