

# Public Document Pack



**North East  
Derbyshire**  
District Council

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Date: Thursday, 24 February 2022

To: **All Members of the Council**

You are summoned to attend a meeting of the Council to be held on **Monday, 7 March 2022 at 3.00 pm in the Council Chamber**, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield S42 6NG.

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

There is limited seating for the public to attend this meeting in person, and reserving a space in advance is required. Please contact Damon Stanton on 01246 217011 or email [damon.stanton@ne-derbyshire.gov.uk](mailto:damon.stanton@ne-derbyshire.gov.uk) to do this. The meeting of Council will be live streamed and available after the event on the Council's website.

Yours sincerely

A handwritten signature in black ink, reading "Sarah Steuberg".

Assistant Director of Governance and Monitoring Officer

## **A G E N D A**

**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 5 - 17)**

To approve as a correct record and the Chair to sign the attached Minutes of the Council meeting held on 31 January 2022.

**4     Chair's Announcements**

To receive any announcements the Chair may wish to make at this meeting.

**5     Leader's Announcements (Page 18)**

To receive any announcements the Leader may wish to make at this meeting.

(a)    Changes to the Cabinet

**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     Outcomes of the Review of the Chair of Licensing's Allowance by the Independent Remuneration Panel - TO FOLLOW**

Report of the Assistant Director of Governance and Monitoring Officer.

**8     NEDDC Annual Pay Policy Statement 2022/23 (Pages 19 - 31)**

Report of the Head of Paid Service.

**9     Level of Council Tax 2022-23 (Pages 32 - 38)**

Report of Councillor P Parkin, Portfolio Holder for Finance

**10    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.

The following questions had been received.

(a)    Question from Councillor J Funnell to the Leader of the Council:-

*"Can the leader confirm that ALL section 106 contributions generated following new builds will be used 100% for the benefit of the community affected and not redistributed to other areas?"*

(b) Question from Councillor R Shipman to Councillor P Parkin:-

*“At the last Council meeting members were told the social housing rents increase of 4.1% was ‘in line’ with government guidance, however, upon further investigation it was found to be a cap and not a recommendation, can Cllr Parkin clarify this inconsistency?”*

**11 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.

One Motion had been submitted by Members.

Motion submitted by Councillor R Shipman

*“That Council abhors racism in all its forms and in all circumstances, but accepts that the public do not understand that the Code does not apply to this behaviour in a Councillor’s private life. Because of this conviction, Council agrees that the Chair should write to the Secretary of State asking that the applicability of the Code of Conduct is extended to apply to a Councillor’s private life in addition to their role as a Councillor”.*

**12 Exclusion of the 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 & 3, Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006).

**13 Council's Preparedness for a Cyber-Attack and Establishment of a Joint AD of ICT (Pages 39 - 49)**

a) Presentation to Members to raise awareness of the Council’s preparedness for a potential cyber-attack by the Joint ICT Service Delivery Manager.

(Paragraphs 1 & 3)

b) Establishment and recruitment to a post of Joint AD of ICT.

(Paragraph 3)

**14 North Wingfield Housing Development (Pages 50 - 56)**

Report of Councillor C Renwick, Portfolio Holder for Housing & Community Safety.

(Paragraph 3)

## 15 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*

**Romanian**  
*Vorbim limba dumneavoastră*

**Urdu**  
ہم آپ کی زبان بولتے ہیں

**Chinese**  
我们会说你的语言



North East  
Derbyshire  
District Council



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## **COUNCIL**

### **MINUTES OF MEETING HELD ON MONDAY, 31 JANUARY 2022**

#### **Present:**

Councillor Martin E Thacker MBE JP (Chair)

Councillor Diana Ruff (Vice-Chair)

Councillor Nigel Barker  
Councillor Stephen Clough  
Councillor Suzy Cornwell  
Councillor Lilian Deighton  
Councillor Michelle Emmens  
Councillor John Funnell  
Councillor David Hancock  
Councillor Jeremy Kenyon  
Councillor Tony Lacey  
Councillor Heather Liggett  
Councillor Gerry Morley  
Councillor Alex Platts  
Councillor Alan Powell  
Councillor Oscar Gomez Reaney  
Councillor Michael Roe  
Councillor Lee Stone  
Councillor Kevin Tait  
Councillor Philip Wheelhouse

Councillor Joseph Birkin  
Councillor Andrew Cooper  
Councillor Charlotte Cupit  
Councillor Peter Elliott  
Councillor Mark Foster  
Councillor Roger Hall  
Councillor Lee Hartshorne  
Councillor Pat Kerry  
Councillor Barry Lewis  
Councillor Jeff Lilley  
Councillor Paul Parkin  
Councillor Maureen Potts  
Councillor Tracy Reader  
Councillor Carolyn Renwick  
Councillor Ross Shipman  
Councillor Bentley Strafford-Stephenson  
Councillor Richard Welton  
Councillor Philip Wright

#### **Also Present:**

L Hickin	Managing Director
M Broughton	Director of Transformation
G Callingham	Director of Growth
J Dethick	Assistant Director - Finance and Resources (Section 151 Officer)
S Sternberg	Assistant Director of Governance and Monitoring Officer
M E Derbyshire	Members ICT & Training Officer
D Stanton	Governance Officer
A Bond	Governance Officer

#### **COU    Apologies for Absence**

**/83/2**

**0-21**

Apologies for absence had been received from Councillors P Antcliff, W Armitage, J Barry, A Dale, D Drabble, A Foster, E A Hill, P Holmes, M Jones, S Pickering, J Ridgway, K Rouse, P Windley and B Wright.

With the agreement and discretion of the Chair, Councillors A Dale, A Foster, D Drabble, P Windley, E A Hill, and M Jones contributed to the meeting virtually, through the use of the electronic conference call system. They did not participate in the decisions taken by Council at the meeting.

**COU     Declarations of Interest**

**/84/2**

**0-21**

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

Councillors M E Thacker MBE, D Ruff, R Welton, H Liggett and S Clough declared a Disclosable Pecuniary Interest in item 10 – Medium Term Financial Plan in relation to the Housing Revenue Account (HRA) as Rykneld Board Members. They advised that they would withdraw from the meeting at the appropriate time.

**COU     Minutes of Last Meeting**

**/85/2**

**0-21**

RESOLVED – That the Minutes of the meeting held on 31 January 2022 were approved as a correct record and signed by the Chair.

**COU     Chairman's Announcements (if any)**

**/86/2**

**0-21**

The Chair paid tribute to former Bolsover District Council Chairman Ken Walker and consort Freda Walker who had recently been attacked. Council passed on its thoughts and prayers to Ken Walker who remained in hospital, and observed a one minute silence in memory of Freda Walker who had tragically been killed.

Council passed on its best wishes and a speedy recovery to Councillor W Armitage who was recovering from a cardiac arrest.

Council passed on its deepest sympathy and support to Councillor S Pickering following the sad passing of his wife.

The Chair announced that he had attended a service of commemoration to her Majesty the Queen at Derby Cathedral this week, following the 70<sup>th</sup> anniversary of her accession to the throne. The District would be joining with others in congratulating the Queen in reaching such a significant milestone.

The Chair informed Council that he would be attending a race night organised by Councillor J Barry on 18 February at the Shinnon in North Wingfield in aid of his charity appeal for Ashgate Hospice.

The Chair thanked North Wingfield, Ashover, and Shirland and Higham Parish Councils for their efforts in raising funds for the Chair's charity appeal.

Council heard about a successful burns night held at the Technique Stadium, and that an Elvis tribute would be taking place on 12 March in aid of Ashgate Hospice. The Chair thanked colleagues for their contributions.

**COU     Leader's Announcements (if any)**

**/87/2**

**0-21**

The Leader updated Council on the current situation regarding Coronavirus. Members heard that cases had been falling but urged residents to remain cautious. High cases during the peak in December had a significant impact on

sickness absence at the Council, causing pressure within Streetscene and refuse collectors. The Leader thanked all staff for their efforts in keeping essential services operating and minimising disruption to residents.

The Leader also provided an update on the leisure centres at Eckington and Dronfield. Eckington Leisure Centre had re-opened following refurbishment and upgrades were planned to Dronfield Sports Centre.

**COU     Public Participation**

**/88/2**

**0-21**

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 had been submitted to this meeting.

**COU     Adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) and the Sex Establishment Policy**

**/89/2**

**0-21**

The Leader of the Council presented a report which invited Council to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) together with the Draft Policy.

Council heard that under this act, along with Section 27 of the Crime and Policing Act 2009, the Council could adopt legislation and policies which gave them the power to control the number and location of sex establishments in its area.

The Draft Policy had been recommended to Council for approval by the General Licensing Committee, following a 13 week public consultation. It was noted that there was strong opposition towards sex establishments in the District, however it was necessary to adopt the legislation and Draft Policy if the Council wished to regulate such establishments.

Councillor R Shipman proposed a number of amendments to the Policy which included inserting 'reducing harm' into 1.1 paragraph 3; under appendix B paragraph 20 amending 'five metres' to 'five seconds'; and under appendix B paragraph 22 amending 'single sex toilets' to 'single cubicles which were unisex toilets'. This was seconded by Councillor D Hancock.

Councillors M Foster, N Barker, J Kenyon and C Renwick commented that Council was not the place to propose policy amendments and that this should have been done at Committee or as part of the public consultation.

Councillor T Reader spoke in favour of the Draft Policy and stated that as a member of the General Licensing Committee, Members were satisfied that the work done had resulted in a policy which was right for the District.

Councillor A Dale commented that there had been ample opportunity to contribute to the Draft Policy and that when the review of the Policy was due it

would then be appropriate for Members to propose amendments should they see fit.

Council voted on the amendments proposed by Councillor R Shipman and seconded by Councillor D Hancock.

On being put to a vote, the motion was defeated.

Council then moved on to vote on the substantive motion which were the report recommendations.

Moved by Councillor H Liggett and seconded by Councillor O Gomez Reaney.

**RESOLVED** – That Council:-

- (1) Approve the recommendation from the General Licensing Committee that a resolution be made to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) and the associated statutory notices be published; and
- (2) Approve the recommendation from the General Licensing Committee that the final draft Sex Establishment Policy be adopted.

**COU     Annual Audit Report 2020-21**

**/90/2**

**0-21**

Council considered the Annual Audit Letter in respect of 2020/21 which had been prepared by Mazars for consideration by elected Members of the Council and other stakeholders.

The Portfolio Holder for Finance explained that the report summarised the work undertaken by the Council's auditors, Mazars LLP, for the year ended 31 March 2021. It provided an opinion on the financial statements, the Council's value for money arrangements and any other wider reporting responsibilities.

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

**COU     Invitation to Become an Opted In Body for External Audit Appointments**

**/91/2**

**0-21**

The Portfolio Holder for Finance presented a report which requested Council's approval to accept Public Sector Audit Appointments (PSAA) invitation to become an opted in authority for the appointment of external auditors for five consecutive financial years commencing April 2023.

**RESOLVED** – That the Council accept Public Sector Audit Appointments' invitation to opt in to the national scheme for the appointment of external auditors for five consecutive financial years commencing April 2023.

**COU     Medium Term Financial Plan**

**/92/2**

**0-21**

The Chair agreed to consider the report recommendations in two parts. Council would consider recommendations 1-6 followed by recommendations



7-13.

Council received a report which sought approval of the current budget for 2021/22 and original budget for 2022/23 for the General Fund, Housing Revenue Account and Capital Programme as part of the Council's Medium Term Financial Plan covering the years 2021/22 to 2025/26.

The Portfolio Holder for Finance informed Council that he was pleased to present a balanced budget for the upcoming financial year, particularly given the deficit that was left by the previous administration, and the impact of the Pandemic on the Council's Finances. The Assistant Director – Finance and Resources (S151 Officer) and her team were thanked for their hard work.

Council noted that much of last year's National Settlement had been rolled over, including the New Homes Bonus, and the inclusion of a one off Services' Grant. There were also proposals from Government for future funding reforms.

Councillor P Parkin explained that a strong and effective culture of financial management were endemic in the Organisation, and discussed some of the savings targets and efficiency saving projects such as the Digital Transformation Strategy.

The Portfolio Holder for Finance reiterated that the Council understood the financial pressures on households within North East Derbyshire, however in order to maintain the high quality services that it offered to residents it was proposing a 2.58% rise in Council Tax.

Councillor D Hancock commented that he was disappointed with the lack of detail within the MTFP in regards to how the Council was going to achieve its savings targets, and expressed concern at the robustness of the financial projections.

Councillor N Barker thanked officers for their hard work and commented that overall it had been a good year for the Council's finances. Council heard that therefore he did not support the increase to Council Tax, given the cost of living crisis for residents. He also disputed the claims made by the Portfolio Holder for Finance in regards to the budget shortfall left by the previous administration.

Councillor R Shipman expressed disappointment that there were no detailed plans as to how the budget would be balanced in future financial years.

Councillor P Parkin clarified his comments about previous budget shortfalls to the MTFP, and advised Council that it had been presented with an action plan on how the budget would be balanced.

For: 25

Councillors P Wright, P Wheelhouse, R Welton, M E Thacker MBE JP, K Tait, L Stone, B Trafford-Stephenson, D Ruff, M Roe, C Renwick, A Powell, M Potts, A Platts, P Parkin, H Liggett, B Lewis, J Kenyon, R Hall, O Gomez Reaney, M Foster, M Emmens, P Elliott, L Deighton, C Cupit and S Clough.

Against: 8

Councillors R Shipman, G Morley, T Lacey, P R Kerry, L Hartshorne, D Hancock, S Cornwell and N Barker.

Abstentions: 5

Councillors T Reader, J Lilley, J Funnell, A Cooper and J Birkin.

RESOLVED –

- (1) That the view of the Assistant Director – Finance & Resources, that the estimates included in the Medium Term Financial Plan 2021/22 to 2025/26 are robust and that the level of financial reserves whilst at minimum levels are adequate, be accepted.
- (2) That officers report back to Cabinet and the Audit and Corporate Governance Scrutiny Committee on a quarterly basis regarding the overall position in respect of the Council's budgets. These reports to include updates on achieving the savings and efficiencies necessary to secure a balanced budget over the life of the medium term financial plan.

General Fund

- (3) A Council Tax increase of £4.99 will be levied in respect of a notional Band D property (2.58%).
- (4) The Medium Term Financial Plan in respect of the General Fund as set out in the report to Cabinet (**Appendix 1**) be approved as the Current Budget 2021/22, as the Original Budget 2022/23, and as the financial projections in respect of 2023/24 to 2025/26.
- (5) That the General Fund Capital Programme be approved as the Current Budget in respect of 2021/22, and as the Approved Programme for 2022/23 to 2025/26.
- (6) That any under spend in respect of 2021/22 be transferred to the Resilience Reserve to provide increased financial resilience for future years of the plan.

*Councillors D Ruff, R Welton, H Liggett and S Clough withdrew from the meeting.*

In the absence of the Chair and Vice Chair of Council, Council elected a Chair for the remainder of the agenda item.

Councillor N Barker nominated himself. This was seconded by Councillor R Shipman. On being put to a vote, the motion was defeated.

Councillor M Foster nominated Councillor B Lewis. This was seconded by Councillor J Kenyon. On being put to a vote, Council accepted this nomination.

*Councillor M E Thacker withdrew from the meeting.*

*Councillor B Lewis took the Chair.*

Council then considered the Medium Term Financial Plan (MTFP) in relation to the Housing Revenue Account (HRA).

The Portfolio Holder for Finance advised Members that the Authority was recommending to Council that rents were increased in-line with government guidance at 4.1%, and that the RHL management fee had been renegotiated in-line with the requirements of the new agreement which would be £9.75 million for next year.

Councillors N Barker and R Shipman spoke against the increase to rents as too big of a rise for Council tenants and that this should be challenged.

Councillor P Parkin acknowledged that the rent increase was a large amount, however argued that Rykneld had to live in the current economy which was experiencing ever increasing costs.

Councillor R Shipman proposed that Council resolved to not increase rents by 4.1% and instead remove itself from the Social Housing Rent Standard. This was seconded by Councillor D Hancock.

For: 13

Councillors L Stone, R Shipman, T Reader, G Morley, J Lilley, T Lacey, L Hartshorne, D Hancock, J Funnell, S Cornwell, A Cooper, J Birkin and N Barker.

Against: 20

Councillors P Wright, P Wheelhouse, K Tait, B Strafford-Stephenson, M Roe, C Renwick, A Powell, M Potts, A Platts, P Parkin, H Liggett, B Lewis, J Kenyon, R Hall, O Gomez Reaney, M Foster, M Emmens, P Elliott, L Deighton and C Cupit.

Abstentions: 1

Councillor P R Kerry

On being put to a vote the motion was defeated.

Moved by Councillor P Parkin and seconded by Councillor C Cupit.

For: 19

Councillors P Wright, P Wheelhouse, K Tait, B Strafford-Stephenson, M Roe, C Renwick, A Powell, M Potts, A Platts, P Parkin, H Liggett, B Lewis, J Kenyon, O Gomez Reaney, M Foster, M Emmens, P Elliott, L Deighton and C Cupit.

Against: 7

Councillors R Shipman, G Morley, T Lacey, L Hartshorne, D Hancock, S Cornwell and A Cooper.

Abstentions: 8

Councillors L Stone, T Reader, J Lilley, P R Kerry, R Hall, J Funnell, J Birkin and N Barker.

RESOLVED –

**Housing Revenue Account (HRA)**

- (7) That Council sets its rent levels for 2022/23 in line with the Social Housing Rent Standard increasing rents by 4.1% from 1st April 2022.
- (8) That all other charges be implemented in line with the table shown in Appendix 1 with effect from 1 April 2022.
- (9) The Medium Term Financial Plan in respect of the Housing Revenue Account as set out in the report to Cabinet (**Appendix 1**) be approved as the Current Budget in respect of 2021/22, as the Original Budget in respect of 2022/23, and the financial projection in respect of 2023/24 to 2025/26.
- (10) That the HRA Capital Programme be approved as the Current Budget in respect of 2021/22, and as the Approved Programme for 2022/23 to 2025/26.
- (11) That the Management Fee for undertaking housing services at £9.751m and the Management Fee for undertaking capital works at £1.100m to Rykneld Homes in respect of 2022/23 be approved.
- (12) That Members endorse the section in the current Financial Protocol which enables the Council to pay temporary cash advances to Rykneld Homes in excess of the Management Fee in order to help meet the cash flow requirements of the company should unforeseen circumstances arise in any particular month.
- (13) That Members note the requirement to provide Rykneld Homes with a 'letter of comfort' to the company's auditors and grant delegated authority to the Council's Assistant Director – Finance & Resources in consultation with the Portfolio Member for Finance to agree the contents of that letter.

*Councillors M E Thacker, D Ruff, R Welton, H Liggett and S Clough re-entered the meeting.*

*Councillor M E Thacker took the Chair.*

**COU     Treasury Strategy Reports 2022/23 - 2025/26**

**/93/2**

**0-21**

Council received a report which provided Members with the necessary information to approve the Council's suite of Treasury Strategies for 2022/23 to 2025/26.

The report outlined the Council's proposed suite of Treasury Strategies for the period 2022/23 to 2025/26 for consideration and approval by Council. It

contained the Treasury Management Strategy, the Capital Strategy and the Investment Strategy.

Councillor D Hancock expressed concerns in relation to forecasting and investments given the economic uncertainties and the impact inflation had on consumer spending habits.

**RESOLVED –**

(1) That Council approve the Treasury Management Strategy at **Appendix 1** and in particular:

- a) Approve the Borrowing Strategy;
- b) Approve the Investment Strategy;
- c) Approve the use of the external treasury management advisors Counterparty Weekly List (or similar) to determine the latest assessment of the counterparties that meet the Council's Criteria before any investment is undertaken;
- d) Approve the Prudential Indicators

(2) That Council approve the Capital Strategy as set out in **Appendix 2** and in particular:

- a) Approve the Capital Financing Requirement;
- b) Approve the Minimum Revenue Provision Statement for 2022/23;
- c) Approve the Prudential Indicators for 2022/23, in particular:

Authorised Borrowing Limit £203,786,000  
Operational Boundary £198,786,000  
Capital Financing Requirement £193,786,000

That Council approve the Investment Strategy as set out in **Appendix 3**.

**COU  
/94/2  
0-21**

**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.

The Chair confirmed that one question had been received.

**Question from Councillor N Barker to Councillor A Powell**

*“Can I ask if and when will a car parking strategy for the whole District be produced?”*

Councillor A Powell responded by explaining that Cabinet had considered and approved a Parking Strategy last week, and that parking was a District wide issue. Council heard that there had also been a Scrutiny Review of residential parking which had identified three locations of concern.

It was stated that the Strategy set out how the Council intended to address parking issues in the District going forward. Five sites had been identified and work was ongoing to get those projects underway. They would be funded through the Housing Revenue Account (HRA) and as such the work could only be conducted on HRA lands and assets. There were also trials of grass protection surfacing which were to be funded from any surplus funds.

#### Supplementary question

Councillor N Barker exercised his right to ask a supplementary question and asked if the Portfolio Holder could explain the rationale in spending £125,000 of HRA funds on 40 parking spaces in Apperknowle, when it already had provisions for 80 spaces and that there were only 45 properties managed by Rykneld Homes.

Councillor A Powell responded by informing Council that Apperknowle was one of the areas identified in the Scrutiny Review of residential parking, and that at the time the process was being managed by Rykneld Homes who wished to look at a number of areas including Apperknowle. This was carried forward by the Council when it developed its Parking Strategy.

#### **COU     To consider any Motions from Members under Procedure Rule No 10**

**/95/2  
0-21**

The following motions had been received:-

#### Motion submitted by Councillor R Shipman – Seconded by Councillor D Hancock

Council notes:

- The government is asking people to work from home wherever possible;
- In April 2020, local authorities were allowed to use video and telephone technology to carry out official Council meetings;
- Legislation is no longer in place to allow for remote/hybrid meetings;
- Remote meetings are efficient and better for the environment.

Council resolves:

- For the Leader of NEDDC to write to the Local Government Secretary asking them to introduce new legislation as soon as possible to permanently allow official Council meetings to take place remotely, if local authorities wish to make use of it.

Councillor R Shipman argued that there were a number of benefits to remote meetings, including environmental and ease of access benefits and that there should be an option for District Councillors to attend virtually. He urged Council to support the motion.

Councillor J Lilley spoke in favour of the motion and argued that his hearing difficulties meant that he struggled to fully participate in the meeting. He was supporting the motion to support reasonable adjustment. Members agreed that provisions should be made to accommodate those who had hearing difficulties so that they could fully participate in the meeting.

Councillor C Cupit argued that whilst she agreed on the principles behind the motion, she also welcomed Members attending in-person, and that there had already been dialogue with government about changing the law to permit virtual attendance. The Deputy Leader therefore could not support the motion.

Councillor J Birkin spoke in favour of the motion and commented that Members should be permitted to attend virtually, particularly given that some Councillors were unable to attend due to concerns about Covid-19.

Councillor M Foster and R Hall argued that they could not support the motion as the government was no longer recommending that people work from home. Council heard that residents were being asked to return to work and that Councillors should also be expected to do the same.

Councillor B Lewis acknowledged that the Pandemic had transformed how local government operated, but that face-to-face meetings should remain for important meetings such as Council and Cabinet. Council heard about advancements in technology that allowed Members with hearing difficulties, such as himself, to participate in meetings.

Councillor A Dale agreed it would be useful to have the flexibility to conduct virtual or hybrid meetings, and that the government was supportive in this. It was, however, a matter of parliamentary time and that primary legislation needed to be changed to accommodate this. The Leader of the Council did not see the merit in writing another letter when there had already been dialogue with government ministers.

Councillor D Hancock argued that it was important to allow Members to participate from home and promote diversity, and that there were some circumstances that prevented Councillors from attending in person.

On being put to vote, the motion was defeated.

#### Motion submitted by Councillor D Hancock

Council notes:

- The challenges facing refuse collection in a district as large and as rural as North East Derbyshire;
- The impact additional bank holidays have on planning logistics for refuse collection;
- That many residents have only a 180 litre household waste bin as a result of previous policies adopted by Council and the significantly reduced capacity for excess waste to be stored;
- That not all residents can drive or have a working pattern that allows them to take excess rubbish to one of the recycling centres;
- The health and safety impact of heavier bins on our employees as a result of delayed collections;
- The potential health and safety problems a delay in collection of household waste poses to local residents.

Council believes:

- That no household should go more than two weeks between household

waste collections, save for an additional day to accommodate public holidays, except in cases of emergency.

Council resolves:

- To review its scheduling of household waste collections going forward to ensure that no part of the District has to wait in excess of 14 days (or 15 days over a bank holiday period) without their household waste being collected.

Councillor D Hancock presented the motion and explained that action needed to be taken to prevent such a situation from happening again. The motion was seconded by Councillor R Shipman.

Councillor C Cupit explained that the Christmas period was a challenging time due to high staff absences and a unique set of circumstances. The Deputy Leader thanked staff for their efforts and those who volunteered to maintain services. Council heard that there were steps being taken to mitigate such a situation occurring again, with plans already in place for the Jubilee bank holiday weekend, and looking again at current collection rounds. There were also potential changes to national waste legislation which could affect collections. Councillor C Cupit apologised to residents for the inconvenience that they had faced.

Councillor N Barker spoke in favour of the motion, but welcomed the explanation from the Deputy Leader and the mitigations that were to be put in place.

*Councillor S Cornwell left the meeting.*

Councillor C Renwick thanked staff and commented that the Council provided an excellent service, with Derbyshire as a whole being one of the best counties in the country. Council heard that she could not support the motion due to concerns over carbon reduction and that there was now a move to smaller bins and less frequent collections to reduce waste. Councillor B Lewis and R Hall also raised issues surrounding household waste and recycling.

On being put to a vote, the motion was defeated.

*Councillor M Foster left the meeting.*

**COU**  
**/96/2**

**Exclusion of Public**

**0-21** 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 & 3, Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006).

**COU**  
**/97/2**

**Sharley Park Development**

**0-21** Council received an update and presentation from the Director of Transformation in relation to the Sharley Park Development.



Council then considered a report from the Portfolio Holder for Leisure, Transformation and Climate Change. The report updated Council on the proposed re-development and requested funding approval for the Council's contribution towards the project.

RESOLVED – That Council agrees to the recommendations as outlined within the report.

**COU     Councillor Dispensation**

**/98/2**

**0-21**

Council gave consideration to an application made by a Member of North East Derbyshire District Council for dispensation from the 'six month' rule that require them to attend meetings.

RESOLVED – That Council agrees to the recommendations as outlined within the report.

**COU     Chair's Urgent Business**

**/99/2**

**0-21**

There was no urgent business considered at the meeting.

## **THE CABINET 2021-22 (Revised February 2022)**

<b>Councillor Alex Dale – Leader Portfolio Holder for Overall Strategic Leadership</b> <ul style="list-style-type: none"> <li>• Overall Direct Focus and Vision</li> <li>• Corporate Strategy</li> <li>• Place Shaping</li> <li>• Strategic Alliance</li> <li>• HS2</li> <li>• Vision Derbyshire</li> <li>• Combined Authority &amp; Devolution</li> <li>• D2N2 Board Representation (if any)</li> <li>• Policy Co-ordination</li> <li>• Performance Monitoring</li> <li>• Licensing</li> <li>• Safeguarding</li> </ul>	<b>Councillor Charlotte Cupit – Deputy Leader and Portfolio Holder for Environmental Services</b> <ul style="list-style-type: none"> <li>• Development Management and Local Plan &amp; Planning Policy Delivery (including Neighbourhood Planning)</li> <li>• Planning Enforcement</li> <li>• Environmental Health</li> <li>• Fleet Management, Grounds Maintenance &amp; Street Cleansing</li> <li>• Waste Collection &amp; Recycling</li> <li>• Town Deal Vice Chair</li> </ul>	
	<b>Councillor Mark Foster – Portfolio Holder for Council Services</b> <ul style="list-style-type: none"> <li>• Human Resources</li> <li>• Customer Services</li> <li>• Democratic Services</li> <li>• Governance</li> <li>• Elections</li> <li>• Legal &amp; Scrutiny</li> <li>• Health &amp; Safety</li> <li>• Emergency Planning &amp; Business Continuity</li> </ul>	
	<b>Councillor Jeremy Kenyon – Portfolio Holder for Economy, Transformation and Climate Change</b> <ul style="list-style-type: none"> <li>• Transformation Programme, including Digital Transformation</li> <li>• Climate Change</li> <li>• Economic Development &amp; Growth</li> <li>• Business Strategy, Commerce &amp; Assets</li> <li>• Skills Strategy &amp; Business Support</li> <li>• Commercial Property Development &amp; Investment</li> <li>• Town Centre &amp; High Street Development</li> <li>• One Public Estate</li> <li>• Promoting Tourism</li> </ul>	
	<b>Councillor Paul Parkin – Portfolio Holder for Finance</b> <ul style="list-style-type: none"> <li>• Audit &amp; Procurement</li> <li>• Accountancy</li> <li>• Finance</li> <li>• Revenues &amp; Benefits</li> <li>• Treasury Management</li> <li>• Payroll</li> <li>• ICT Infrastructure</li> </ul>	
	<b>Councillor Alan Powell – Portfolio Holder for Leisure Communities and Communications</b> <ul style="list-style-type: none"> <li>• Leisure Facilities</li> <li>• Health &amp; Wellbeing</li> <li>• Internal &amp; External Communications &amp; Public Profile</li> <li>• Residents' Forums &amp; Public Meetings</li> <li>• Partnership Engagement &amp; Strategy</li> <li>• Community &amp; Residents' Engagement</li> <li>• Community Grants</li> </ul>	
	<b>Councillor Carolyn Renwick – Portfolio Holder for Housing &amp; Community Safety</b> <ul style="list-style-type: none"> <li>• Promoting Home Ownership</li> <li>• Community Safety Partnership</li> <li>• Assets, Property Services &amp; Facilities and Estate Management</li> <li>• Strategic Housing</li> <li>• RHL Client Support &amp; Management</li> <li>• Empty Homes &amp; Homelessness Strategy</li> <li>• Housing Development &amp; Delivery Joint Venture Companies</li> </ul>	

**North East Derbyshire District Council**

**Council**

**7 March 2022**

**NEDDC Annual Pay Policy Statement 2022/23**

**Report of the Head of Paid Service**

**Classification:** This report is public

**Report By:** Sara Gordon HR & OD Manager - Tel: 01246 217677

**Contact Officer:** Sara Gordon HR & OD Manager – Tel: 01246 217677  
Oliver Fishburn, Payroll Manager – Tel: 01246 242525

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**PURPOSE / SUMMARY**

For the following policy to be brought to Council for consideration

- Annual Pay Policy Statement 2022/23
- 

**RECOMMENDATIONS**

1. That Council support the Annual Pay Policy Statement 2022/23.

Approved by the Portfolio Holder: Cllr M Foster, Portfolio Holder for Council Services

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**IMPLICATIONS**

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**Finance and Risk:** Yes ☒ No ☐

**Details:** As covered within the report.

On Behalf of the Section 151 Officer

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**Legal (including Data Protection):** Yes ☒ No ☐

**Details:** As covered within the report.

On Behalf of the Solicitor to the Council

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**Staffing:** Yes ☒ No ☐

**Details:** As covered within the report.

On behalf of the Head of Paid Service

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## DECISION INFORMATION

<b>Decision Information</b>	
<b>Is the decision a Key Decision?</b> 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:  <b>BDC:</b> Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> <b>NEDDC:</b> Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	None
<b>Consultation:</b> Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes  Details:

<b>Links to Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.</b>

## REPORT DETAILS

### 1 Background

- 1.1 The pay policy statement sets out the Council's policy on pay for senior managers and employees and is in accordance with the requirements of Section 38 of the Localism Act 2011 and Supplementary Guidance 2013.
- 1.1 The Pay Policy Statement is brought to full Council on an annual basis.
- 1.2 Any amendments to the policy statement, other than minor updates to reflect the 2021/22 pay agreement and 2022/23 pay agreement will require the approval of Full Council.
- 1.3 The Annual Pay Policy Statement for 2022/23 reflects the current position based on decisions previously taken at Full Council.

- 1.4 Under the Local Government Transparency Code 2015 additional organisational information is required to be published annually on the website. This consists of third tier organisation charts, senior salaries information, including functional responsibilities, budget amounts and numbers of staff responsible for, together with details of trade union facility time
- 1.5 Please find attached the Annual Pay Policy Statement 2022/23 for consideration at **Appendix 1**.
- 1.6 Agreement to the Annual Pay Policy Statement fulfils both legal and best practice guidance for employers. It also reflects decisions previously approved at Full Council.
- 1.7 Council are asked to consider the Annual Pay Policy Statement 2022/23. The Statement reflects decisions previously approved at Full Council.

## **2. Details of Proposal or Information**

- 2.1 The pay policy statement sets out the Council's policy on pay for senior managers and employees and is in accordance with the requirements of Section 38 of the Localism Act 2011 and Supplementary Guidance 2013.
- 2.2 The Pay Policy Statement is brought to full Council on an annual basis.
- 2.3 Any amendments to the policy statement, other than minor updates to reflect the 2021/22 pay agreement and 2022/23 pay agreement will require the approval of Full Council.
- 2.4 The Annual Pay Policy Statement for 2022/23 reflects the current position based on decisions previously taken at Full Council.
- 2.5 Under the Local Government Transparency Code 2015 additional organisational information is required to be published annually on the website. This consists of third tier organisation charts, senior salaries information, including functional responsibilities, budget amounts and numbers of staff responsible for, together with details of trade union facility time
- 2.6 Please find attached the Annual Pay Policy Statement 2022/23 for consideration at **Appendix 1**.

## **3 Reasons for Recommendation**

- 3.1 Agreement to the Annual Pay Policy Statement fulfils both legal and best practice guidance for employers. It also reflects decisions previously approved at Full Council.

#### 4 Alternative Options and Reasons for Rejection

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

#### DOCUMENT INFORMATION

Appendix No	Title
1	NEDDC Pay Policy Statement
<b>Background Papers</b> (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) you must provide copies of the background papers)	

**Appendix 1****NORTH EAST DERBYSHIRE DISTRICT COUNCIL  
Pay Policy Statement 2022/23****1. Introduction**

This Council is committed to the principle of equal pay. It recognises that women and men in the workforce should receive equal pay for work of equal value and that this principle is enshrined in both UK and European law. In this connection, the Council aims to ensure that its pay system is free of bias. Fairness and equality across gender, age, race, disability, religion and sexuality are part of the values of this organisation.

The Council believes that its values send a positive message on diversity and equality to managers, employees, potential employees, partners and customers and enhances productivity, efficiency and morale.

The overall pay policy of the Council is driven by organisational consistency, equity and transparency rather than external market forces. The Council believes in paying a fair rate of pay to its employees, and in meeting its strategic objectives it endeavours to create a working environment that will attract high calibre job applicants and encourage the retention of existing employees.

The local government environment is in an ongoing state of change and to this end North East Derbyshire District Council undergoes regular reviews of services to ensure that high levels of service delivery can be maintained without unnecessary cost to the taxpayer.

The implementation of policies on employee development and performance review, as well as dealing with capability where performance falls short of the desired standard, ensure that the workforce remains well trained and well-motivated without the need to apply any form of performance related pay. Mechanisms such as internal celebration and recognition of achievement are used to acknowledge particular contributions to the successful running of the organisation. Acknowledgement comes in a variety of forms.

**Overview – whole workforce**

In order to secure equal pay within the organisation, the following action has been taken to date:

- 1 In 1997 the National Joint Council (NJC) introduced a new National Agreement for Local Government Services (The Green Book). This agreement replaced the terms and conditions of service in the old Purple Book (former officers) and White Book (former manual workers). The new agreement was generally called The Single Status Agreement since its intention was to introduce equal pay and eliminate the old blue/white collar divides.

- 2 As part of this process an Equal Pay Audit was carried out to ensure that any areas of inequality could be identified and resolved.
- 3 At the heart of the National Agreement is the principle of fairness and equality for all employees - equalising pay differences across the local government sector that have existed for decades. The Agreement recommended the use of a job evaluation scheme and it was jointly agreed locally to use the computerised version of the NJC Job Evaluation Scheme. This was applied to all jobs covered by the NJC Agreement for Local Government Services ('Green Book') at 1<sup>st</sup> April 2007.
- 4 The following are the factors included in the Job Evaluation process:
  - Knowledge
  - Mental Skills
  - Interpersonal Skills
  - Physical Skills
  - Initiative and Independence
  - Physical Demands
  - Mental Demands
  - Emotional Demands
  - Responsibility for People
  - Responsibility for Supervision
  - Responsibility for Financial Resources
  - Responsibility for Physical Resources
  - Working Conditions
- 5 The factors listed above are intended to allow application of the scheme across the whole range of posts within Local Government, with recognition given not only to mental effort required to carry out a job but also to physical skills and demands for more manual posts and emotional demands and responsibility for people in respect of jobs with caring as a focus.
- 6 The full Single Status package was submitted to Council for approval and adoption. This included both the Job Evaluation Scheme and a range of former national terms and conditions of service which were simplified and rationalised to reflect the current economic situation.
- 7 Decisions about smaller-scale changes to terms and conditions of service for employees of the Council are agreed through the Council's delegated decision process.
- 8 The implementation of the NJC Scheme is closely monitored to ensure that it is applied fairly and consistently across the Council and to minimise the possibility of an Equal Pay challenge.
- 9 Equal Pay and Gender Pay audits are required on an annual basis. This was undertaken in 2020/21.



### **Lowest Paid Employees**

Following the implementation of Single Status and the JNC Job Evaluation Scheme, local grades were applied to the national spinal column points. Each grade comprises four points, and the top point of each grade is also the bottom point of the next grade.

Grades 1 and 2 were payable to those employees who scored lowest under the thirteen factors used under the JE Scheme. However, from 1 October 2013 this Council has adopted the Living Wage for the small number of employees paid on these grades. The Living Wage, which is updated on 1 November annually and is currently set nationally at £9.90 per hour (equivalent to a full-time equivalent salary of £19,100), is considered to be the pay needed to provide an adequate standard of living. To avoid compromising the integrity of the Job Evaluation process, all salary points below the living wage rate were deleted and replaced by a new single salary point at the appropriate level.

From 2015/16, to date the Council operates an Apprentice Scheme. Apprentices at Level Two and Three are paid on the National Living Wage based on their age and those at Level Four or above are paid based on the Council's payscales.

### **Background – Chief Officers' Salaries**

In 2008 an independent review was carried out of salaries payable to senior managers, in an acknowledgement that the JNC Scheme was not an appropriate way of determining salaries for Directors

There are many factors which affect the market for senior staff, including the following:

- A tightening pool of suitably qualified and experienced staff;
- An increasing reluctance to relocate over large distances;
- The trend towards slimmer senior management structures comprising posts with more generic responsibilities
- The salary premium being offered by failing Councils to attract suitable candidates.

In view of the above, and further to national advice, the following factors were taken into account in establishing the local salary structure:

- Any special market conditions;
- Any substantial local factors not common to authorities of similar type and size;
- Comparable information on salaries in other similar authorities;
- Top management structures and the size of the senior management team compared to other authorities of similar type and size.

In addition it should be noted that there has been found to be a correlation between population and salary levels, with a distinct salary bias towards districts with urban characteristics as opposed to rural characteristics, as well as a marked salary premium for Councils in the South of the country.

Bearing in mind all of the above points, and in consideration of the significant improvements that have been achieved at North East Derbyshire Council over recent years, salary levels for the Directors were set at a level which reflected the extremely marketable experience built up by the senior managers who had been part of that successful regime. This was to avoid the very real danger that key senior staff would be lost and it might not be possible to attract replacement candidates of the highest calibre necessary to maintain and accelerate the recent and ongoing momentum for service and organisational improvements.

Chief Officers have significant responsibility for corporate management and operational issues, and detailed information about decision making delegated to senior managers can be found in the Constitution on the Council's website.

The decisions in respect of the review of salaries following the independent review were taken by Council, although smaller scale decisions about terms and conditions of service for the Chief Officers are taken by the Appointments Committee.

## **Grading Structure – Managing Director/Directors**

The salaries indicated for Managing Director / Directors include nationally negotiated pay awards since April 2009

The Managing Director post is paid a single fixed point salary of £98,929.

<b>Incremental points</b>	<b>Directors</b>
1	£77,495
2	£79,809
3	£82,123
4	£84,436
5	£86,749
6	£88,779

No additional payments are made e.g. bonuses, allowances (other than those mentioned below) performance related pay or other benefits in kind.

## **Assistant Directors**

The intention is these posts are characterised by their relatively high level of responsibilities, and would deputise, as appropriate, in the absence of the Director. This is an important element in the Council's succession planning and leadership development processes, as well as providing valuable strategic input. An appropriate salary scale with annual increments was agreed, which equated to approximately 70% of the Chief Officers' salary. The figures are shown below:

<b>Incremental Points</b>	<b>Assistant Director</b>
1	£54,247
2	£55,867
3	£57,486
4	£59,104
5	£60,724
6 (Statutory Officer)	£66,786 plus an additional £5,075 for undertaking statutory officer duties

## **Relationship between salaries**

There is a pay differential of just over £10,709 between the highest paid Assistant Director and the lowest paid Director, The median salary of the whole workforce is £22,182 and the ratio of the Council's top earner to that of its median earner is 4.5:1

The mean salary is £25,119 per annum, and the ratio of the Council's top earner to the mean salary is 3.9:1

The Council does not anticipate these changing during the course of the financial year.

### **Terms and Conditions of Service**

Managing Director, Directors and Assistant Directors are employed under the terms and conditions of service of the Joint Negotiating Committee for Chief Officers of Local Authorities. There are currently no additional local agreements relating to the employment of chief officers that represent a charge on the public purse, with the exception of election duties (see following paragraph).

### **Election Duties**

The fee for Returning Officer duties is dependent upon the type of election, and is prescribed by Central Government by means of a Fees and Charges Order.

### **Honoraria and ex gratia payments**

The Council does not make ex gratia payments.

An honorarium is payable in circumstances where an employee temporarily takes on duties and responsibilities which are at a higher level than those carried out within their substantive post. The amount of the honorarium is calculated by carrying out an evaluation, under the JNC Job Evaluation Scheme, which takes account of the additional duties. Where an employee carries out the full duties and responsibilities of a higher graded post for a temporary period, then they are paid the appropriate rate for the higher graded post, as identified under the Job Evaluation Scheme.

The same principles apply to all employees, including those on Chief Officer rates of pay.

### **Other financial benefits**

The Council's Managing Director, Directors and Assistant Directors are not in receipt of any financial benefits that are not also available to other employees. For example, subsistence allowances are payable to all employees who are away from their base for lengthy periods as follows:

Employees can claim for actual expenditure, supported by receipts, up to a maximum of the following amounts:

Breakfast: £5.61 (payable if employee left home on official business before 7.00am)

Lunch: £7.73 (payable if employee is away from the office between 11.30am and 2.30pm)

Tea: £3.04 (payable if the employee is absent from home and office after 6.30pm on official business)

Evening meal: £9.37 (payable if the employee is absent from home and office after 8.30pm)

Overnight: £3.63 per night (payable if away from home on business overnight)

Weekly: £14.55 (payable if away on business for a week or more)

Other expenses such as taxi, bus or train fares, parking fees etc can be reimbursed provided they are approved and valid receipts are attached to the expenses claim form.

**Essential User Allowance** is payable to employees who meet specified criteria. Although nationally there are three levels of payment which are linked to the size of the vehicle's engine, this Council pays at the lowest rate only as follows:

#### Essential Users

Lump sum per annum	£846
per mile first 8,500	36.9p
per mile after 8,500	13.7p

Whilst senior management do not always meet the minimum 1500 miles, senior officers currently receive this Allowance because of the requirement to have a vehicle available at all times to allow them to respond to urgent incidents.

**Professional fees** are paid for any employee for whom it is an essential requirement that they hold a professional qualification and are members of a professional body.

The Council has a policy of not allowing employees to accept gifts or other inducements, and if such gestures are made then the gift is recorded and donated to the Chair's current charity.

**A mobile telephone** is provided to employees who are frequently away from their office, or not office-based and all senior managers are included. In addition to providing the mobile phone, the cost of the monthly rental is paid as well as business related calls.

#### **Incremental Progression**

The policy of the Council in respect of incremental progression is the same whatever the level of the post. Appointment is generally to the lowest point on the scale, unless the individual already works in local government and is currently paid at a higher point, in which case they will be appointed to the incremental point above that which is closest to the employee's existing salary (up to a maximum at the top of the grade). Where relevant, incremental increases take place on 1 April each year, except when a new appointment is

made between 1 October and 31 March, in which case the first increment is payable six months after appointment.

## **Pensions**

Employees of the Council pay a contribution to the Pension Scheme relative to their annual full-time equivalent pensionable pay (including pensionable allowances). The contribution rates for 2021/22 have altered slightly as per below;

### **England and Wales – employee contribution rates for 2021/22**

<b>Actual Pensionable Pay</b> (based on latest pay x 12)	<b>Employee Contribution rate</b>
Up to £14,600	5.5%
£14,601 to £22,900	5.8%
£22,901 to £37,200	6.5%
£37,201 to £47,100	6.8%
£47,101 to £65,900	8.5%
£65,901 to £93,400	9.9%
£93,401 to £110,000	10.5%
£110,001 to £165,000	11.4%
£165,001 or more	12.5%

The Employer's contribution at NEDDC is currently 14.7% of pensionable pay.

There are a number of discretions available under the Local Government Pension Scheme, and as a matter of policy, NEDDC does not usually exercise any discretion that would represent a cost to the Council.

## **Flexible Retirement**

Under the terms of the Local Government Pension scheme, an employee aged 55 or over can elect to reduce their hours or their grade and request early release of pension benefits. This is a provision available to all employees, but to date this has not been taken up by any senior managers.

The Council has a degree of discretion, as the needs of the service take precedence at all times over the scheme, and the Council's Policy on Flexible Retirement makes clear that it will only agree to such requests where there is no cost to the Council in doing so, ie either the employee has already passed their earliest retirement date or where the cost of early release is met by the employee via a reduced pension.

### **Re-employment of employees in receipt of a pension**

Under the terms of the Local Government Pension scheme, an employee who has retired from local government service and is in receipt of a pension may reapply for local government employment. However where this happens the pension is subject to abatement, i.e. if the pension added to the new salary is higher than the original salary then the amount of pension will be reduced accordingly. There are currently no re-employed pensioners in senior management positions.

### **Payment on termination of employment**

Where a post is deleted following a review of service (redundancy), or where an employee is retired 'in the interests of the efficient exercise of the Authority's functions', a compensatory payment is made.

In the case of redundancy, a sum is payable based on the national redundancy table with a multiplier of 1.5. The Council exercises its discretion in these cases to base the payment on actual weeks' pay, and the maximum payable in these circumstances is 45 weeks' pay for service of 20 years or over.

Under the Local Government Pension Scheme, pension benefits are payable with immediate effect to any employee whose employment is terminated on grounds of redundancy or efficient exercise and who is aged 55 or over.

### **Holiday Entitlement**

The annual leave entitlement is 36 days per year plus 3 days per annum to cover the Christmas closedown period. The leave year runs from 1<sup>st</sup> April to 31 March annually. All Chief Officers are entitled to 8 bank holidays plus any additional bank holidays agreed at national level.

## North East Derbyshire District Council

### Council

7 March 2022

Level of Council Tax 2022/23

### Report of Councillor P Parkin, Portfolio Holder for Finance

Classification: This report is public

Report By: Jayne Dethick – Assistant Director of Finance and Resources  
[jayne.dethick@ne-derbyshire.gov.uk](mailto:jayne.dethick@ne-derbyshire.gov.uk) Tel: 01246 217078

Contact Officer: Jayne Dethick – Assistant Director of Finance and Resources  
[jayne.dethick@ne-derbyshire.gov.uk](mailto:jayne.dethick@ne-derbyshire.gov.uk) Tel: 01246 217078

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### **PURPOSE / SUMMARY**

To formally approve the Council Tax liability for local residents in respect of 2022/23.

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### **RECOMMENDATIONS**

1. That Council formally approves the Council Tax for the Financial Year 2022/23 as set out in this report.

Approved by the Portfolio Holder - Yes

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### **IMPLICATIONS**

Finance and Risk: Yes ☒ No ☐

**Details:**

North East Derbyshire District Council administers the Collection Fund for all of the precepting authorities operating within the area of North East Derbyshire. In order to pay the amounts requested by the various precepting authorities – including North East Derbyshire District Council – it is necessary to set a Council Tax which raises sufficient funding to ensure that the Collection Fund can meet the financial demands placed upon it.

On Behalf of the Section 151 Officer

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Legal (including Data Protection): Yes ☒ No ☐

**Details:**

The Council is legally required to set a council tax for its area.

On Behalf of the Solicitor to the Council



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**Staffing:**    Yes ☐        No ☒

**Details:**

There are no human resource implications arising directly out of this report.

On behalf of the Head of Paid Service

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## DECISION INFORMATION

Decision Information	
<b>Is the decision a Key Decision?</b> 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:  <b>BDC:</b> Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> <b>NEDDC:</b> Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	None
<b>Consultation:</b> Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes  Details:

<b>Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.</b>
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## REPORT DETAILS

1        **Background** (reasons for bringing the report)

1.1      The purpose of the report is as follows: -

- The Localism Act 2011 requires the billing authority to calculate a Council Tax requirement for the year.
- The approved demand on the Collection Fund in respect of this Council is one of **£6,362,623**.
- In order to calculate the Council Tax requirement for the area at the relevant bands, the demands of the County Council, Police Authority, Fire Authority and parish councils will also need to be taken into account.
- The Council has now received all the relevant precept demands from the other local authorities that precept upon this Council as the billing authority for Council Tax.
- It should be noted that this report will be subject to a recorded vote.

## **2. Details of Proposal or Information**

2.1 It should be noted that the Chief Financial Officer has calculated the following amounts as Council Tax Base for the year 2022/23:

- 32,079.63** being the amount calculated by the Council, in accordance with Section 31B of the Local Government Finance Act 1992, as amended.
- For dwellings in those parts of its area to which a Parish precept relates as detailed as follows:

<b>Parish</b>	<b>Council Tax Base</b>
Ashover	978.19
Barlow	373.32
Brackenfield	94.23
Brampton	511.13
Calow	724.77
Clay Cross	2,736.37
Dronfield	7,165.28
Eckington	3,434.75
Grassmoor, Hasland and Winsick	1,066.73
Heath and Holmewood	850.12
Holmesfield	482.46
Holymoorside and Walton	950.24
Killamarsh	2,547.30
Morton	372.22
North Wingfield	1,786.75
Pilsley	1,003.78
Shirland and Higham	1,433.89
Stretton	267.78

Sutton-Cum-Duckmanton	505.26
Temple Normanton	147.02
Tupton	931.67
Unstone	550.36
Wessington	284.85
Wingerworth	2,881.16
<b>Total</b>	<b>32,079.63</b>

2.2 Calculate that the Council Tax requirement for the Council's own purposes for 2022/23 (excluding Parish Precepts) is **£6,362,623**

2.3 That the following amounts be calculated by the Council for the year 2022/23 in accordance with Sections 31 to 36 of the Act:

- a) **£48,328,206** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
- b) **£38,498,124** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- c) **£9,830,082** being the amount by which the aggregate at 1.3(a) exceeds the aggregate at 2.3(b), calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year. (Note: - this sum is the total of the District's requirements of **£6,362,623** plus the total parish precepts of **£3,467,459**).
- d) **£306.43** being the amount at 2.3(c), all divided by item 2.1(a) calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- e) **£3,467,459** being the aggregate amount of all special items referred to in Section 34(1) of the Act (as per 2.3(g)).
- f) **£198.34** being the amount at 2.3(d) less the result given by dividing the amount at 2.3(e) by the amount at 2.1(a), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.
- g) Part of the Council's Area

The following being the amounts calculated by adding the amount at 2.3(f) to the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned in 2.3(d) divided in each case by the amount at 2.1(b). Calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

<b>Parish</b>	<b>Council Tax Band D £</b>
Ashover	290.10
Barlow	296.43
Brackenfield	260.35
Brampton	250.50
Calow	267.79
Clay Cross	285.87
Dronfield	314.85
Eckington	293.04
Grassmoor, Hasland and Winsick	323.12
Heath and Holmewood	357.15
Holmesfield	272.96
Holymoorside and Walton	268.17
Killamarsh	390.17
Morton	345.56
North Wingfield	309.86
Pilsley	308.23
Shirland and Higham	261.98
Stretton	270.82
Sutton-Cum-Duckmanton	325.01
Temple Normanton	294.93
Tupton	309.97
Unstone	353.37
Wessington	296.47
Wingerworth	277.82

- h) being the amounts given by multiplying the amounts at 2.3(f) and 2.3(g) by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

<b>Part of the Council's Area</b>	<b>Valuation Bands</b>							
	<b>A £</b>	<b>B £</b>	<b>C £</b>	<b>D £</b>	<b>E £</b>	<b>F £</b>	<b>G £</b>	<b>H £</b>
Ashover	193.40	225.63	257.87	290.10	354.57	419.02	483.50	580.20
Barlow	197.62	230.55	263.50	296.43	362.31	428.17	494.05	592.86
Brackenfield	173.57	202.49	231.43	260.35	318.21	376.05	433.92	520.70
Brampton	167.00	194.83	222.67	250.50	306.17	361.82	417.50	501.00
Calow	178.53	208.28	238.04	267.79	327.30	386.80	446.32	535.58
Clay Cross	190.58	222.34	254.11	285.87	349.40	412.91	476.45	571.74
Dronfield	209.90	244.88	279.87	314.85	384.82	454.77	524.75	629.70
Eckington	195.36	227.92	260.49	293.04	358.16	423.27	488.40	586.08
Grassmoor, Hasland and Winsick	215.42	251.31	287.23	323.12	394.93	466.72	538.54	646.24

Heath and Holmewood	238.10	277.78	317.47	357.15	436.52	515.87	595.25	714.30
Holmesfield	181.98	212.30	242.64	272.96	333.62	394.26	454.94	545.92
Holymoorside and Walton	178.78	208.57	238.38	268.17	327.77	387.35	446.95	536.34
Killamarsh	260.12	303.46	346.83	390.17	476.88	563.57	650.29	780.34
Morton	230.38	268.76	307.17	345.56	422.36	499.13	575.94	691.12
North Wingfield	206.58	241.00	275.44	309.86	378.72	447.56	516.44	619.72
Pilsley	205.49	239.73	273.99	308.23	376.73	445.21	513.72	616.46
Shirland and Higham	174.66	203.76	232.88	261.98	320.20	378.40	436.64	523.96
Stretton	180.55	210.63	240.74	270.82	331.01	391.17	451.37	541.64
Sutton-Cum-Duckmanton	216.68	252.78	288.91	325.01	397.24	469.45	541.69	650.02
Temple Normanton	196.62	229.39	262.17	294.93	360.47	426.00	491.55	589.86
Tupton	206.65	241.08	275.54	309.97	378.86	447.72	516.62	619.94
Unstone	235.58	274.84	314.11	353.37	431.90	510.41	588.95	706.74
Wessington	197.65	230.58	263.54	296.47	362.36	428.22	494.12	592.94
Wingerworth	185.22	216.08	246.96	277.82	339.56	401.28	463.04	555.64

- 2.4 That it be noted that for the year 2022/23 Derbyshire County Council, the Police and Crime Commissioner for Derbyshire, and the Derbyshire Fire and Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Act 1992 for each of the categories of dwellings shown in the following table:

Precepting Authority	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
Derbyshire County Council	850.28	991.97	1,133.70	1,275.40	1,558.83	1,842.23	2,125.68	2,550.80
Derbyshire County Council - ASC	99.43	116.02	132.58	149.16	182.30	215.47	248.59	298.32
Police & Crime Commissioner	167.73	195.69	223.64	251.60	307.51	363.42	419.33	503.20
Fire & Rescue Service	53.89	62.88	71.86	80.84	98.80	116.77	134.73	161.68

- 2.5 That, having calculated the aggregate in each case of the amounts at 2.3(h) and 2.4, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2022/23 for each of the categories of dwellings shown in the following table:

Part of the Councils area	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
Ashover	1,364.73	1,592.19	1,819.65	2,047.10	2,502.01	2,956.91	3,411.83	4,094.20
Barlow	1,368.95	1,597.11	1,825.28	2,053.43	2,509.75	2,966.06	3,422.38	4,106.86
Brackenfield	1,344.90	1,569.05	1,793.21	2,017.35	2,465.65	2,913.94	3,362.25	4,034.70
Brampton	1,338.33	1,561.39	1,784.45	2,007.50	2,453.61	2,899.71	3,345.83	4,015.00
Calow	1,349.86	1,574.84	1,799.82	2,024.79	2,474.74	2,924.69	3,374.65	4,049.58
Clay Cross	1,361.91	1,588.90	1,815.89	2,042.87	2,496.84	2,950.80	3,404.78	4,085.74
Dronfield	1,381.23	1,611.44	1,841.65	2,071.85	2,532.26	2,992.66	3,453.08	4,143.70
Eckington	1,366.69	1,594.48	1,822.27	2,050.04	2,505.60	2,961.16	3,416.73	4,100.08
Grassmoor, Hasland and Winsick	1,386.75	1,617.87	1,849.01	2,080.12	2,542.37	3,004.61	3,466.87	4,160.24
Heath and Holmewood	1,409.43	1,644.34	1,879.25	2,114.15	2,583.96	3,053.76	3,523.58	4,228.30

Holmesfield	1,353.31	1,578.86	1,804.42	2,029.96	2,481.06	2,932.15	3,383.27	4,059.92
Holymoorside and Walton	1,350.11	1,575.13	1,800.16	2,025.17	2,475.21	2,925.24	3,375.28	4,050.34
Killamarsh	1,431.45	1,670.02	1,908.61	2,147.17	2,624.32	3,101.46	3,578.62	4,294.34
Morton	1,401.71	1,635.32	1,868.95	2,102.56	2,569.80	3,037.02	3,504.27	4,205.12
North Wingfield	1,377.91	1,607.56	1,837.22	2,066.86	2,526.16	2,985.45	3,444.77	4,133.72
Pilsley	1,376.82	1,606.29	1,835.77	2,065.23	2,524.17	2,983.10	3,442.05	4,130.46
Shirland and Higham	1,345.99	1,570.32	1,794.66	2,018.98	2,467.64	2,916.29	3,364.97	4,037.96
Stretton	1,351.88	1,577.19	1,802.52	2,027.82	2,478.45	2,929.06	3,379.70	4,055.64
Sutton-Cum-Duckmanton	1,388.01	1,619.34	1,850.69	2,082.01	2,544.68	3,007.34	3,470.02	4,164.02
Temple Normanton	1,367.95	1,595.95	1,823.95	2,051.93	2,507.91	2,963.89	3,419.88	4,103.86
Tupton	1,377.98	1,607.64	1,837.32	2,066.97	2,526.30	2,985.61	3,444.95	4,133.94
Unstone	1,406.91	1,641.40	1,875.89	2,110.37	2,579.34	3,048.30	3,517.28	4,220.74
Wessington	1,368.98	1,597.14	1,825.32	2,053.47	2,509.80	2,966.11	3,422.45	4,106.94
Wingerworth	1,356.55	1,582.64	1,808.74	2,034.82	2,487.00	2,939.17	3,391.37	4,069.64

### 3 Reasons for Recommendation

- 3.1 This report set out for approval by Council the precepts of the relevant public authorities operating in the area of North East Derbyshire District Council in order for Council to agree the Council Tax liability for local residents in respect of 2022/23.

### 4 Alternative Options and Reasons for Rejection

- 4.1 The Council is legally obliged to approve the council tax for the financial year 2022/23.

## DOCUMENT INFORMATION

Appendix No	Title
Click here to enter text.	Click here to enter text.
<b>Background Papers</b> (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)	
Click here to enter text.	

# Agenda Item 13

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

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# Agenda Item 14

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

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