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## **COUNCIL**

**Minutes of a Council Meeting held on Thursday 30 May 2019 in the Council Chamber, Town Hall, Matlock at 6.00 pm.**

### **PRESENT**

Councillor Richard FitzHerbert - In the Chair

Councillors Jacqueline Allison, Jason Atkin, Richard Bright, Matthew Buckler, Sue Bull, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Paul Cruise, Tom Donnelly, Graham Elliott, Steve Flitter, Helen Froggatt, Chris Furness, Clare Gamble, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Elisa McDonagh, Tony Morley, Michele Morley, Peter O'Brien, Joyce Pawley, Garry Purdy, Mike Ratcliffe, Claire Raw, Lewis Rose OBE, Mark Salt, Andrew Shirley, Peter Slack, Alasdair Sutton, Colin Swindell, Steve Wain and Mark Wakeman.

Paul Wilson (Chief Executive), Sandra Lamb (Head of Corporate Services), Tim Braund (Head of Regulatory Services), Steve Capes (Head of Regeneration and Policy), Karen Henriksen (Head of Resources), Lee Gardner (Legal Services Manager), Jim Fearn (Communications and Marketing Manager) and Jackie Cullen (Committee Assistant).

18 members of the public.

The meeting was recorded and broadcast live on YouTube.

### **APOLOGIES**

Apologies for absence were received from Councillor Robert Archer.

The Chairman welcomed Mr Lee Gardner who had joined the District Council as Legal Services Manager

### **14/19 – PUBLIC PARTICIPATION**

Ella Lemon and George Davidson (Highfields School Students), and Laura Stevens (Derbyshire Climate Coalition) each made a statement on Motion B of Item 9 on the Agenda: Proposal of Notice of Motion (Rule of Procedure 16) on the existential threat of climate change and requested Derbyshire Dales District Council to join with over 90 Councils across the country which had declared a climate emergency.

## **15/19 - MINUTES**

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Jason Atkin and

**RESOLVED** That the Minutes of the Annual meeting of the Derbyshire Dales  
(unanimously) District Council held on 22 May 2019 be approved as a correct record.

The minutes were signed by the Chairman.

## **16/19 – LEADER’S ANNOUNCEMENTS**

The Leader of the Council updated the Council on his internal meetings to date to discuss the issues facing the Authority. He also advised that the first Leader’s Advisory Group meeting had taken place that afternoon; that he and Cllr Hobson had met with Derbyshire County Council Leader Barry Lewis at County Hall; that a meeting had been arranged with Sir Patrick McLoughlin MP with a view to obtaining an insight into Parliament’s activities; and that he would be meeting with Heads of Services over the next few months to discuss their departments’ key issues.

The Leader of the Council paid tribute to Cllr Lewis Rose, OBE, for his long-term commitment to, and leadership of, the Council as well as his dedication to the residents of the Derbyshire Dales and being a champion for rural matters on the regional and national stage.. Cllr Purdy then invited other party leaders to speak, following which all Members expressed their appreciation to Councillor Rose.

On behalf of the Council, Cllr Susan Hobson congratulated Julie Booth on her retirement, having achieved 40 years’ employment (covering 37 elections) with the District Council.

## **17/19 – CHAIRMAN’S ANNOUNCEMENTS**

The Chairman of the District of Derbyshire Dales advised that he had recently attended the installation of the Revd Libby Lane as Bishop of Derby Cathedral, and the Tissington Well-dressings.

## **18/19 – COMMITTEES**

It was moved by Councillor Jason Atkin, seconded by Councillor Andrew Shirley and

**RESOLVED** That the non-exempt minutes of the Committees listed in the Minute  
(unanimously) Book for the period 14 March 2019 to 22 May 2019 be received.

## **19/19 – PROPOSAL OF NOTICE OF MOTION (RULE OF PROCEDURE 16)**

Councillor Claire Raw arrived at 6.46pm during discussion of this item.

### **MOTION A**

The Council debated the following Motion, submitted by Councillor Clare Gamble in accordance with Rule of Procedure 16: The motion was seconded by Councillor Martin Burfoot.

“That the Council considers re-opening the toilets at Monsal Head while a long-term suitable alternative is being investigated.”

It was reported by the Head of Corporate Services that negotiations were still ongoing with the Monsal Head Hotel regarding the toilets (in the Bakewell Ward), with a view to their taking over the facilities.

An amendment was proposed by Councillor Steve Wain, seconded by Councillor Sue Burfoot, and was put to the vote, as follows:

In accordance with Rule of Procedure 19 (d) Councillors Steve Flitter and Sue Burfoot requested a recorded vote on this item.

**Voting:** “That this Council considers providing adequate temporary alternative facilities at Monsal Head while a long-term suitable alternative is being investigated.”

**For** Councillors Jacqueline Allison, Matthew Buckler, Martin Burfoot, Sue Burfoot, Neil Buttle, Paul Cruise, Steve Flitter, Clare Gamble, David Hughes, Elisa McDonagh, Peter O’Brien, Joyce Pawley, Mike Ratcliffe, Peter Slack, Colin Swindell and Steve Wain. (16)

**Against** Councillors Jason Atkin, Richard Bright, Sue Bull, David Chapman, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Chris Furness, Alyson Hill, Susan Hobson, Stuart Lees, Tony Morley, Michele Morley, Garry Purdy, Lewis Rose OBE, Mark Salt, Andrew Shirley, Alasdair Sutton and Mark Wakeman. (20)

**Abstentions** 0

The Chairman declared the amendment LOST..

The original motion was then put to the vote, as follows, and it was moved by Councillor Clare Gamble, seconded by Councillor Martin Burfoot and

“That this Council considers re-opening the toilets at Monsal Head while a long-term suitable alternative is being investigated.”

**Voting:**

**For** Councillors Jacqueline Allison, Matthew Buckler, Martin Burfoot, Sue Burfoot, Neil Buttle, Paul Cruise, Steve Flitter, Clare Gamble, David Hughes, Elisa McDonagh, Peter O’Brien, Joyce Pawley, Mike Ratcliffe, Peter Slack, Colin Swindell and Steve Wain. (16)

**Against** Councillors Jason Atkin, Richard Bright, Sue Bull, David Chapman, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Chris Furness, Alyson Hill, Susan Hobson, Stuart Lees, Tony Morley, Michele Morley, Garry Purdy, Lewis Rose OBE, Mark Salt, Andrew Shirley, Alasdair Sutton and Mark Wakeman. (20)

**Abstentions** 0

The Chairman declared the motion LOST.

## 20/19 - PROPOSAL OF A NOTICE OF MOTION (RULE OF PROCEDURE 16)

### MOTION B

The Council debated the following Motion, submitted by Councillor Mike Ratcliffe and supported by Councillor Joyce Pawley, in accordance with Rule of Procedure 16:

“Climate change is an existential threat. Extreme weather events have caused damage and destruction in this country and have led to deaths and displacement of thousands of people worldwide. Natural habitats, wildlife and biodiversity are in peril. Scientists are warning that we have a little over a decade to implement urgent action to reduce CO<sub>2</sub> emissions before we reach a global tipping point.

Action is required at international, national, local and individual level to achieve the carbon reduction levels needed.

This Council pledges to:

- Declare a Climate Emergency
- Make Derbyshire Dales District Council carbon neutral by 2030
- Call on the UK Government to provide the powers and resources to make the 2030 target possible
- Work with partners across the county and region to deliver this new goal through all relevant strategies
- Report back to Council within six months with the actions the Council will take to address this emergency.”

It was agreed by the Proposer and Seconder to amend the wording as follows:

- Natural habitats, wildlife and biodiversity are in peril **not only from climate change, but they are being adversely affected by human intervention, which in turn is enhancing the effects of climate change.**
- Replace ‘CO<sub>2</sub> emissions’ with ‘greenhouse gas emissions’.

The Leader of the Council assured Members and the public that an Action Group would be formed as soon as practicable, the constitution of which would be formulated for Council approval by mid-July, along with its Terms of Reference and proposed policies. It was envisaged that the Action Group, to include the Derbyshire Climate Coalition and other interested bodies, would work collaboratively with other authorities. It was envisaged that a 3-month interim report would be brought to the relevant Committee, followed by a 6-month final report, outlining the actions to be taken by the Council.

Under Rule of Procedure 24, it was moved by Councillor Mike Ratcliffe, seconded by Councillor Joyce Pawley and

**RESOLVED**  
(unanimously)

That the following motion, as amended, submitted by Councillor Mike Ratcliffe, be received:

“Climate change is an existential threat. Extreme weather events have caused damage and destruction in this country and have led to deaths and displacement of thousands of people worldwide. Natural

habitats, wildlife and biodiversity are in peril, not only from climate change, but they are being adversely affected by human intervention, which in turn is enhancing the effects of climate change.

Scientists are warning that we have a little over a decade to implement urgent action to reduce greenhouse gas emissions before we reach a global tipping point.

Action is required at international, national, local and individual level to achieve the carbon reduction levels needed.

This Council pledges to:

- Declare a Climate Emergency
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- Call on the UK Government to provide the powers and resources to make the 2030 target possible
- Work with partners across the county and region to deliver this new goal through all relevant strategies
- Report back to Council within six months with the actions the Council will take to address this emergency.”

The Chairman then adjourned the meeting for a 10 minute break.

## **21/19 – MOTION TO CONTINUE**

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Jason Atkin and

**RESOLVED**  
(unanimously)

That, in accordance with Rule of Procedure 13, the meeting continue beyond 2½ hours to enable the business on the agenda to be concluded.

## **22/19 - ANNUAL GOVERNANCE STATEMENT 2018/19**

The Council considered for approval the Annual Governance Statement 2018/19 (attached as Appendix 1 to the report). This reported publicly on the extent to which it had complied with its own code of governance and which was consistent with the CIPFA/SOLACE Framework “Delivering Good Governance in Local Government” and met the requirements of the Accounts and Audit Regulations 2015.

The Head of Resources advised that the final paragraph in Section 2 of the Statement should read:

“This year **four** governance issues have been identified...” and not five, as 2 of the issues had been combined. The four issues were:

- the budget gap identified in the MTFP;
- safeguarding;
- procurement and inventory
- Freedom Leisure contract re pension fund

The Head of Resources clarified that in Section 5a of the Annual Governance Statement, three significant governance issues were shown that had been identified in the 2017/18 AGS;; one had since been addressed, meaning two had been carried forward to the 2018/19 Action Plan shown in Section 5b of the AGS. Section 5b of the AGS set out an Action Plan to address the four significant governance issue that had been identified.

It was moved by Councillor Sue Bull, seconded by Councillor Chris Furness and

**RESOLVED**  
(unanimously)

1. That the Annual Governance Statement for 2018/19 is approved.
2. That the significant governance issues, and the action plan to address them, be noted.

### **23/19 – PROVISIONAL REVENUE AND CAPITAL OUTTURN 2018/19**

The Council considered a report that provided details of the provisional financial outturn for the District Council's Revenue and Capital spending for the year ended 31<sup>st</sup> March 2019 and that advised Members of the updated Medium Term Financial Plan and Efficiency Plan.

The provisional outturn on the revenue account for 2018/19 was a surplus of £472,000 against revised estimates. Key reasons for the surplus were given in the report; most relating to one-off items and the over-achievement of income targets.

If the recommendations of this report were approved, the provisional outturn showed that Council would maintain its general fund balances at £2.1m at 31 March 2019 and increase earmarked reserves from £11.9m to £14.0m for the same period.

The major variances in respect of revenue spending against the revised budget were tabled in paragraph 2.3 of the report. The current Medium Term Financial Plan (MTFP), shown in Appendix 2 to the report, illustrated that in 2020/21 there was still a savings gap of around £400,000. The effect of the 2018/19 outturn would be reviewed to update the MTFP for any emerging ongoing budget changes. The level of the General Reserve and the Funding Uncertainties Reserve provided mitigation in case savings of that magnitude did not materialise by March 2020, when the Council must set a balanced budget for 2020/21. It was therefore recommended that the surplus of £472,000 be transferred to reserves as follows:

- £200,000 to the Waste Fluctuations Reserve
- £100,000 to the ICT Reserve
- £172,000 to the Capital Programme Reserve.

The position on reserves and balances, following the recommendations set out above, could be seen in Appendix 1 to the report.

An analysis of Derbyshire Dales District Council's Council Tax and Business Rates Collection was set out in the report.

The recommendations made in the report had been reflected in the draft Statement of Accounts, which would be published on the Council's website and which was subject to an independent audit, carried out by Mazars LLP. The audited Statement of Accounts would be presented for approval at the Council meeting to be held on 25th July 2019.

The Capital Programme budget for 2018/19 was set in March 2018 at £3,621,714. This was revised during the year to reflect progress on schemes and the addition of new schemes.

At 31<sup>st</sup> March 2019, there was a provisional surplus of £1,205,859 compared with the revised estimate; the principal schemes contributing to the surplus were tabled in the report, with further details in Appendix 3 to the report. Members' approval was sought to carry forward most of the surplus as slippage into 2019/20.

The revised capital programmes for 2019/20 and 2020/21 to 2022/23 had been updated to reflect slippage, and were summarised the report, with further details in Appendix 3 to the report.

Potential future capital liabilities, not yet included in the capital programme, were set out in Appendix 4 to the report.

It was moved by Councillor Chris Furness, seconded by Councillor Tom Donnelly, and

**RESOLVED**  
(unanimously)

1. That the following transfers to reserves for 2018/19 are approved:
  - (a) £200,000 to the Waste fluctuations reserve
  - (b) £100,000 to the IT reserve
  - (c) £172,000 to the Capital programme reserve.
2. Members note that subject to the approval of recommendation 1 the revenue account for 2018/19 is balanced.
3. That the provisional Capital Out-turn, as detailed in Appendix 3 to the report, and financing arrangements for 2018/19, in the sum of £2,784,490 are approved;
4. That the revised Capital Programme as detailed in Appendix 3 to the report, and financing arrangements for 2019/20, in the sum of £5,091,795 are approved;
5. That the Capital Programmes for 2020/21 to 2022/23, as detailed in Appendix 3 to the report, for the sum of £2,870,232, are approved.
6. That the potential future capital programme liabilities outlined in Appendix 4 to the report are noted.

**24/19 – PERFORMANCE MANAGEMENT – KEY & CORPORATE PERFORMANCE INDICATORS OUT-TURN 2018/19**

Councillors David Chapman and Mark Salt left the meeting at 9.25pm prior to discussion of this item, and Councillors Colin Swindell and Graham Elliott left at 9.37pm during discussion of this item.

The Council considered a report that summarised the outturn performance against the District Council's Key & Corporate Performance Indicators for the full year 2018/19, demonstrating where services had been performing strongly and where improvements could be made.

The Corporate Plan (adopted by Council in November 2015) set out the District Council's priorities and areas for improvement and identified a number of priority targets to be achieved each year. For 2018/19, there were 17 Corporate Plan targets set by Council in March 2018, of which the three priority areas were:

- (1) Business Growth and Job Creation;
- (2) Affordable Housing; and
- (3) Market Towns.

It was reported that of the 29 performance indicators for the financial year 2018/19 for which data was available, 22 (76%) were fully or partially achieved, as set out in paragraph 3.1 of the report, and that a lower proportion of Corporate Plan targets were fully achieved (11 out of 17, or 65%) as compared to Key Performance Indicator targets (9 out of 12, or 75%), as illustrated in Table 2 in the report. The detailed outturn position for each of the key performance indicators for 2018/19 was set out in Appendix 1 to the report.

It was moved by Councillor Chris Furness, seconded by Councillor Tony Morley and

**RESOLVED**

1. The outturn performance against Corporate Plan targets for 2018/19 be noted.
2. The outturn performance against the Key Performance Indicators for 2018/19 be noted.
3. Bi-annual reports continue to be brought to Council to highlight progress, demonstrate good performance, and address areas for improvement.
4. Key Performance Indicator targets for 2019/20 set out in Section 4 of the report and detailed in the appendix to the report be approved.

**Voting:**

<b>For</b>	31
<b>Against</b>	0
<b>Abstentions</b>	2

The Chairman declared the motion CARRIED.

**25/19 – LOCAL PROJECTS FUND**

Council considered a report on the success of the Local Projects Fund and grants awarded since its inception in October 2015 and examples of projects supported in the 2018/2019 financial year.

A schedule setting out the grants awarded by area and Councillor since October 2015 was attached for information at Appendix 1 to the report, and a snapshot of recent grants was attached at Appendix 2 to the report with some photographs and feedback from the beneficiaries. From these, it could be seen that the Local Projects Fund had supported a variety of projects, some small, some larger, whilst also helping to encourage others to contribute or match fund.

At the Council Meeting on 14 March 2019, it was agreed that the Fund continue into 2019/2020 according to the criteria set out in the report.

It was moved by Councillor Chris Furness, seconded by Councillor Helen Froggatt and

**RESOLVED**

1. That the report is noted.
2. That the Fund continue in 2019 / 2020 as agreed and outlined in the report to Council, 14 March 2019.

**Voting:**

<b>For</b>	26
<b>Against</b>	0
<b>Abstentions</b>	7

**26/19 – SEALING OF DOCUMENTS**

It was moved by Councillor Mark Wakeman, seconded by Councillor Stuart Lees and

**RESOLVED**  
(unanimously)

That the common seal of the Council be affixed to those documents, if any, required to complete transactions undertaken by Committees or by way of delegated authority to officers since the last meeting of the Council.

**MEETING CLOSED 9.58PM**

**CHAIRMAN**