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Date: 03 April 2024

Dear Councillor

Council

YOU ARE HEREBY SUMMONED to attend the Meeting of the **Council** to be held at **Council Chamber**, Civic Offices, Civic Way, Swadlincote on **Thursday, 11 April 2024** at **18:00** to transact the business set out on the attached agenda.

Yours faithfully,

Chief Executive

To:-

Labour Group

Councillor S Bambrick (Chair) and Councillor M Gee (Vice-Chair)
Councillors A Archer, J Carroll, S Harrison, A Haynes, I Hudson, J Jackson,
A Jones, G Jones, L Mulgrew, M Mulgrew, R Pearson, D Pegg, V Redfern, G Rhind,
D Shepherd, L Singh, K Storey, B Stuart, S Taylor, A Tilley, and N Tilley.

Conservative Group

Councillors N Atkin, D Corbin, M Ford, K Haines, A Kirke, J Lowe,
S Meghani, D Muller and P Watson.

Liberal Democrats

Councillors G Andrew and J Davies.

Non-Grouped

Councillor A Wheelton.



AGENDA
Open to Public and Press

- 1 Apologies.
- 2 Presentation: Inspector Mike Sisman
- 3 To confirm the Open Minutes of the Meetings held on:

28 February 2024 **5 - 20**
- 4 To note any declarations of interest arising from any items on the Agenda
- 5 To receive any announcements from the Chair, Leader and Head of Paid Service.
- 6 To receive any questions by members of the public pursuant to Council Procedure Rule No. 10.
- 7 To receive any questions by Members of the Council pursuant to Council Procedure Rule No. 11.
In accordance with Council Procedure Rule No.11 Councillor **21 - 21**
Meghani will ask the Leader of the Council the following question
- 8 To consider any notices of motion in order of which they have been received.
- 9 MEDIUM TERM FINANCIAL STRATEGY 2024-25 - 2028-29 **22 - 81**
- 10 DERBY AND DERBYSHIRE STRATEGIC LEADERSHIP BOARD **82 - 132**
- 11 PAY POLICY STATEMENT 2024-2025 **133 -
148**
- 12 HOUSING CONSUMER STANDARDS **149 -
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13	DRAFT CYCLE OF MEETINGS 2024-25	156 - 159
14	To receive and consider the Open Minutes of the following Committee meetings:	
	Housing and Community Services Committee 01 February 2024	160 - 165
	Finance and Management Committee 15 February 2024	166 - 171
	Environmental and Development Committee 29 February 2024	172 - 175
	Planning Committee 05 March 2024	176 - 182
	Housing and Community Services Committee 07 March 2024	183 - 186
	Licensing and Appeals Sub-Committee 12 March 2024	187 - 188
	Finance and Management Committee 14 March 2024	189 - 193
	Planning Committee 19 March 2024	194 - 199
15	To review the compositions of Committees, Sub-Committees and Working Panels.	
16	To review the compositions of Substitute Panels.	
17	To review representation on Outside Bodies.	
18	To review Member Champions.	

19 The Chairman may therefore move:-

That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

20 To confirm the Exempt Minutes of the Meetings held on:
28 February 2024

21 To receive any exempt questions by Members of the Council pursuant to Council Procedure Rule No. 11.

22 To receive and consider the Exempt Minutes of the following Committee meetings:

Housing and Community Services Committee 01 February 2024

Finance and Management Committee 15 February 2024

Environmental & Development Committee 29 February 2024

Planning Committee 05 March 2024

Housing and Community Services Committee 07 March 2024

Licensing and Appeals Sub-Committee 12 March 2024

Finance and Management Committee 14 March 2024

MINUTES of the COUNCIL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Wednesday 28 February 2024
at 6.00pm

PRESENT:

Councillor S Bambrick (Chair) and Councillor M Gee (Vice-Chair) and Councillors A Archer, J Carroll, S Harrison, A Haynes, I Hudson, J Jackson, A Jones, G Jones, L Mulgrew, M Mulgrew, D Pegg, R Pearson, V Redfern, G Rhind, D Shepherd, L Singh, B Stuart, S Taylor, A Tilley and N Tilley.

Conservative Group

Councillors N Atkin, D Corbin, M Fitzpatrick, M Ford, K Haines, A Kirke, J Lowe, S Meghani, D Muller and P Watson.

Liberal Democrats

Councillors G Andrew and J Davies

Non-Grouped

Councillor A Wheelton

CL/110 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor K Storey (Labour Group).

CL/111 **TO CONFIRM THE OPEN MINUTES OF COUNCIL MEETINGS**

The Open Minutes of the Council Meeting held on the 18 January 2024 (CL/90 - CL/106) were confirmed as a true record and signed by the Chair.

CL/112 **DECLARATIONS OF INTEREST**

On behalf of all Members, the Chair declared a pecuniary interest in relation to Item CL/121 General Fund Revenue Budget And Council Tax Setting 2024-25, in accordance with clause 14(4)(vi) of the Members Code of Conduct.

CL/113 **ANNOUNCEMENTS FROM THE CHAIR**

The Chair of the Council addressed Members and informed them of the recent visit to Burton Albion Stadium for the Pingle Academy Awards Ceremony and congratulated Councillor S Meghani and family and Councillor K Storey and partner on the arrival of their babies.

CL/114 **ANNOUNCEMENTS FROM THE LEADER**

The Leader of South Derbyshire District Council addressed Council and thanked officers for the upgrade work carried out in the Chamber. The Leader congratulated Councillor S Meghani and partner and Councillor K Storey and partner on the birth of their babies and wished them both well.

CL/115 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Head of Paid Service addressed Council noting that the portrait of the King Charles III would be arriving in the near future and that the portrait of Queen Elizabeth II would be relocated. Council was informed that a letter supporting the application for the East Midlands Investment Zone had been issued and that the Returning Officer would send out information regarding purdah in relation elections taking place on 02 May 2024.

CL/116 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council was informed that no questions had been received.

CL117 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

In accordance with Council Procedure Rule No.11 Councillor Kirke asked the Leader of the Council the following question:

“Would the Leader agree that there was a need to review the requirement, relevance, quality, and mode of delivery of the training delivered to elected members of this council?”

The Leader of the Council thanked Councillor Kirke for the question and informed Council that he was satisfied with the current provision of training available to all Members of the Council. It was noted that Member training was provided by a range of delivery methods including both online and in person training. Elements of training provided to Members incorporated statutory training, as well as induction training and good practice. The Leader of the Council confirmed that Members were able to request additional training based on their needs and/or specific roles and there was available an adequate budget to cover the cost of such and encouraged Members to make any specific requests.

In accordance with Council Procedure Rule no11 Councillor Kirke asked a supplementary question regarding advance notification of training dates.

The Leader of the Council confirmed that there would be advance notification and requested that any conflicts were advised accordingly.

In accordance with Council Procedure Rule No.11 Councillor Corbin will ask the Leader of the Council the following question:

“Having discussed this matter over a six month period regularly with the chief executive and also knowing the directors of the council are aware of these issues yet we see little improvement across the organisation. Can the leader therefore commit to undertaking a review of the council processes with regards to communications between members and officers. I can give many examples, and have provided these to the chief executive, where members of the Conservative Party, at least, have emailed queries to officers in varying departments and waited at times anywhere between 2-4 months for a response in some cases. This is hampering members in being able to do our jobs and serve the public. I can also provide examples where the members are ignored for 2+ months and then a response happens but goes from the officer to someone other than the councillor who actually raised the matter and brought the question into council. Given we have seen presentations of policies, requiring members to reply to all emails in a timely manner within days, in recent months and have a Members Code of Conduct that we are held to why this council seems unable to provide the same communication to members. What assurances can the leader give us that this will be resolved and how will it be resolved?”

The Leader of the Council thanked Councillor Corbin for the question. The Leader of the Council informed Councillor Corbin that it was an operational matter and a question for the Chief Executive as Head of the Paid Service to answer. He advised the Chief Executive would be asked to provide Councillor Corbin with a written response.

In accordance with Council Procedure Rule No.11 Councillor Corbin asked the Leader of the Council the following question:

“When are we as a council going to engage in the devolution process? Until now we have seen this council reject engagement in the devolution process, including the letter sent in the last council as our consultation response to the devolution and mayoral authority.

Now, whether members like the devolution process or not, we can see and know it is happening regardless as it is an upper tier authority matter with elections slated for May 2024.

This devolution promises to allow us in Derbyshire and South Derbyshire to take control of funding and finance matters locally. Improve infrastructure and transport and many other areas.

There are two seats at the table for borough and district councils that I would hope South Derbyshire would fill one of instead of representation by two other Derbyshire councils.

So when are we going to engage in this process, and how, given our reticence previously, are we going to strive to gain one of those two seats at the table in the mayoral authority to be able to represent South Derbyshire as well as we can - given that this devolution process is happening whether we like it or not, and we cannot continue to isolate ourselves from it stubbornly?”

The Leader of the Council thanked Councillor Corbin for the question. Councillor Corbin was informed that the Leader of South Derbyshire District Council was engaging in discussions regarding the proposed Derby and Derbyshire Strategic Leadership Board (a Joint Committee) and that a report to establish the joint committee and delegated functions to it would be presented to Council in due course.

The Leader of the Council added that it was understood that the District representatives would be put forward by the Derby and Derbyshire Strategic Leadership Board to the East Midlands County Combined Authority and that it would be the role of the District representatives to put forward the views of all of the districts.

Councillor Corbin sought clarity regarding representation on the Derby and Derbyshire Strategic Leadership Board.

The Leader of the Council advised that a report was tabled regarding the Derby and Derbyshire Strategic Leadership Board and the Council would be represented accordingly.

In accordance with Council Procedure Rule No.11 Councillor Corbin asked the Leader of the Council the following question:

“Can the leader explain how the leading group have produced their HRA budget; and what targets have been set with voids to allow them to create this budget?”

The Leader of the Council thanked Councillor Corbin for the question. The Leader of the Council referred Councillor Corbin to Item CL/122, which explains how the Housing Revenue Account budget had been produced and also to Council Plan 2024 - 2028 Performance Dashboard in Item CL/119 which specified targets for the average time taken to re-let Council Homes with major works required.

CL/118 **NOTICES OF MOTION IN ORDER OF WHICH THEY WERE RECEIVED**

Council was informed that no notices of motion had been received.

CL/119 **COUNCIL PLAN 2024-2028**

The Chief Executive addressed Council and presented the report noting the collaboration that had taken place with residents, officers and Members to produce the Council Plan.

The Leader of the Council informed Council how proud he was to support the Council Plan and reiterated the collaborative work that had taken place.

Councillor Fitzpatrick sought clarity regarding the values and the increase in complaints and raised queries in relation to voids and the measurement of financial resilience.

The Chief Executive clarified that the values were aspirational but would be worked towards and that current issues would be addressed.

The Strategic Director (Corporate Resources) advised Council that voids and relet times were aligned with the budget and that the Medium Term Financial Strategy would feed into the quarterly dashboard and be reported on annually.

Councillor Andrew sought clarity regarding the inward investment into the Swadlincote urban core.

The Leader of the Council assured Council that the Plan was for the benefit of the whole of South Derbyshire and there were some specific plans for Swadlincote.

Councillor Wheelton commended the way in which officers put residents first and how they went above and beyond their roles to help residents during recent floods and requested that thanks be passed on.

RESOLVED:

1.1 Council approved the Council Plan 2024-2028 as attached at Appendix A to the report.

1.2 Council approved the Performance Dashboard 2024-2028 attached as Appendix B to the report.

CL/120 **ANNUAL REPORT OF THE SECTION 151 OFFICER**

The Section 151 Officer addressed Council and presented the report explaining how it provided commentary on the robustness of budgetary estimates and adequacy of reserves, which had both been subject to risk assessments. The Section 151 Officer outlined the commentary around the General Fund and the Housing Revenue Account and sought approval of the recommendations.

Members commended the report and supported the officer's recommendation.

RESOLVED:

1.1 Council noted the Section 151 Officer's report on the robustness of budgetary estimates and the adequacy of reserves and considered its content as part of approving the General Fund budget 2024/25, the Housing Revenue Account budget 2024/25, the Capital budget and programme for 2024/25 – 2028/29 and the Capital Strategy and Treasury Management Strategy 2024/25.

1.2 Council approved the minimum level of General Fund reserves at £1.35 million as set out in the report and to continue with a level of £1 million for the Housing Revenue Account.

CL/121 GENERAL FUND REVENUE BUDGET AND COUNCIL TAX SETTING 2024-25

The Leader of the Council addressed Council and presented the budget for Council approval, which had been developed through cross-party engagement over the previous four months and included proposals put forward as part of that.

The Council Tax and Budget set out before Members were based on the recommendations of the Finance and Management Committee from 15 February 2024.

Before proposing the recommendations within the report, the Leader of the Council made the following statement on the Council's proposed budget and level of Council Tax.

CURRENT YEAR

In the current budget year, the Council has begun to stabilise its position, more accurately forecasting funding, particularly business rates and the return from the Derbyshire Business Rates pool but also the income the Council earns by investing its reserves. This had the effect of closing in part the budgeted gap that was originally forecast for next year of £3.1 million and also allowed the Council to look at its finances through a new lens and begin to invest in services where it was much needed.

The Council has continued to see inflationary pressure feature, in the staff pay award, energy costs, fuel and other inflationary linked spend. Recruitment, like last year, continued to be a problem, with some services relying on temporary and higher cost resources. But the Council has also seen additional pressures come forward – for example, in Quarter 2 it was identified that the level of spend on spare parts and works to keep its fleet on the road had hit an all-time high, evidencing the critical need for investment in fleet which, the Leader was pleased to say, would be brought forward as part of the budget.

BUDGET 2024/25

The Leader of the Council informed Members that he was delighted to present the balanced budget to Council for approval.

Council was informed that the budget built on the experiences of the current year, not only in accurately predicting funding and income but also in investing in services so that officers have the right resources to deliver good and improved services and enable delivery of the new Council Plan.

The Leader of the Council noted that as Members considered the budget and council tax for 2024/25 it would be done so in the context of an uncertain economic outlook.

The Leader of the Council explained that the Medium-Term Financial Plan provided a snapshot of the most likely position of the Council's finances looking ahead to 2028/29. It showed that its medium-term position was characterised by budget gaps because of assumed local government funding reform, a

situation that was recognised nationally and, in many councils' medium term financial plans.

The plan detailed how the Council had sufficient reserves to balance the budget gaps to 2027/28, by 2028/29 (year 5 of the plan) reserves would be exhausted, which was why the Council would bring forward a new Medium Term Financial Strategy that had been co-designed with all Members of the Council, to set out how the Council would take forward new initiatives and projects and reinvigorate current operations to be able to bring in additional income and reduce expenditure to close these gaps.

The Leader of the Council noted that contributions to parish councils for concurrent functions remained at the 2023/24 levels for next year. Which would demonstrate the Council's commitment to working with its valued community partners and was in stark contrast to the situation seen in many other councils where concurrent grants have been removed.

In summary the Leader was pleased to report that the budget proposals for 2024/25 once again contained no cuts to services and that the opposite was true: the budget served to invest in resources to deliver for our residents.

COUNCIL TAX

The Leader of the Council turned to the proposed level of Council Tax for the District, following recommendations from the Finance and Management Committee on 15 February 2024. In keeping Council Tax as low as possible, especially in the current economic climate when many residents were facing increased household bills, was extremely important to the Council. The level of Council Tax proposed was a difficult decision to balance and one that must maintain the Council's financial position in uncertain times but also protect residents from big increases in Council Tax bills.

The Finance and Management Committee considered several options at its meetings in November 2023 and February 2024 when the draft budget was put together. The Committee also carefully reviewed comments received from members of the public as part of the public budget consultation when it reconsidered Council Tax at its February meeting, which on balance was supportive and understanding of the proposed increase. It also considered an Equalities Impact Assessment, which identified that the Council's Council Tax Reduction Scheme would likely absorb much of the increase for eligible residents on lower incomes.

The Leader of the Council let Members know that, even with the 2.99% increase, the Band D Council Tax would continue to remain the lowest Band D within Derbyshire compared even at the current year's levels. The Leader of the Council highlighted that South Derbyshire District Council only accounted for 9% share of the overall household bill, with the Band D total Council Tax for next year at £2,099.60, out of which £179.86 would be retained by this Council, with the remaining being charged and collected on behalf of Derbyshire County Council, the Police and Crime Commissioner and Fire and Rescue.

It was noted that South Derbyshire District Council would continue to support households on low incomes with the proposed continuation of the support scheme which would see many residents pay little or no Council Tax.

On behalf of all Members the Leader of the Council thanked the Chief Executive and staff across the Council for their excellent work throughout the last year.

Before moving the recommendations of the report, the Leader of the Council pointed out that paragraph 1.2 of the report was to be amended to read: Council approved the General Fund Revenue Budget for 2024/25, and to note the Medium-Term Financial Plan as set out in Appendix 1." The original wording omitted the words "to note" as Council does not approve the Medium-Term Financial Plan it notes it.

The Leader of the Council concluded by commending and moving the recommendations contained within the report.

Councillor Corbin addressed Council and proposed an alternative budget proposal, that included the unfreezing of concurrent functions, an improvement to the double taxation position, the removal of the grant for Sharpe's Potteries, no additional spending in Housing and Planning service areas, improvements to the recycling service, an alternative to the introduction of electric fleet vehicles and the transformation of Swadlincote town centre.

The Leader of the Council and Members considered and discussed the alternative budget proposals noting that the review of concurrent functions did not relate to removal of the funding, that the town centre master plan was to be reviewed, that the fleet replacement was to address the climate emergency and that the Budget was for the community and supported the Council Plan.

Following a vote, the alternative budget proposed by Councillor Corbin was not carried.

RESOLVED:

1.1 Council approved an increase in Council Tax by the maximum referendum limit of 2.99%, as recommended by the Finance and Management Committee on the 15 February 2024.

1.2 Following approval of 1.1, Council approved the General Fund Revenue Budget for 2024/25, and Medium-Term Financial Plan as set out in Appendix 1 of the report.

1.3 Council approved the proposed fees and charges as detailed in Appendix 4 of the report.

1.4 Council approved the Council Tax for 2024/25 as detailed below, including the accompanying Schedules A to C of the report.

1.4.1 It be noted that on 11th January 2024, Council calculated the Council Tax Base 2024/25:

- (a) For the whole area as 38,809 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended by the Localism Act 2011).**
- (b) For dwellings in those parts of its area to which a Parish Precept related as 26,502.**

1.4.2 That the Council Tax requirement for the Council's own purposes for 2024/25 be calculated as £6,980,187.

1.4.3 That the following amounts be calculated for the year 2024/25 in accordance with Sections 31 and 36 of the Localism Act 2011:

- (a) £50,152,864 - being the aggregate of the amounts which the Council estimated for the items set out in Section 31A(2) (a) to (f) of the Act (gross expenditure including parish precepts, the Housing Revenue Account and the additions to reserves)**
- (b) £42,049,570 - Being the aggregate of the amounts which the Council estimated for the items set out in Section 31A (3) of the Act (a) to (d) of the Act (gross income including the Housing Revenue Account and use of reserves).**
- (c) £8,103,294 - Being the amount by which the aggregate of 1.4.3(a) above exceeds the aggregate of 1.4.3(b) above, calculated by the Council in accordance with Section 31A (4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).**
- (d) £208.80 - Being the amount calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (average Council Tax for a Band D property for the District including Parish Council Precepts).**
- (e) £1,123,108 - Being the aggregate amount of all Parish Precepts referred to in Section 34 (1) of the Act.**
- (f) £179.86 - Being the amount at 1.4.3 (d) above less the result given by dividing the amount at 1.4.3 (e) above by Item T (1a above) 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 Parish Precept relates.

As required by the Council's Procedure Rules a recorded vote was taken.

The Members who voted in favour of the resolution above were:

Councillors G Andrew, A Archer, S Bambrick, J Carroll, J Davies, M Gee, S Harrison, A Haynes, I Hudson, J Jackson, A Jones, G Jones, L Mulgrew, M Mulgrew, R Pearson, D Pegg, V Redfern, G Rhind, D Shepherd, L Singh, B Stuart, S Taylor, A Tilley, N Tilley and A Wheelton.

The Members who voted against the resolution above were:

Councillors N Atkin, D Corbin, M Fitzpatrick, M Ford, K Haines, A Kirke, J Lowe, S Meghani, D Muller and P Watson.

CL/122 **HOUSING REVENUE ACCOUNT AND RENT SETTING 2024-25**

The Strategic Director (Corporate Resources) summarised the report and sought approval for the recommendations.

Members considered the report and commended the officers' recommendations.

Councillor Corbin proposed an alternative rent increase of 7% and suggested that rent loss could be reduced through bringing voids down.

Members discussed the alternative rent increase.

Following a vote, the alternative rent increase proposed by Councillor Corbin was not carried.

RESOLVED:

1.1 Council approved an increase to Council housing rent of 7.7% for 2024/25.

1.2 Following approval of 1.1, Council approved the Housing Revenue Account budget and Medium-Term Financial Plan for 2024/25, as detailed in Appendix 1 of the report.

As required by the Council's Procedure Rules a recorded vote was taken.

The Members who voted in favour of the resolution above were:

Councillors G Andrew, A Archer, S Bambrick, J Carroll, J Davies, M Gee, S Harrison, A Haynes, I Hudson, J Jackson, A Jones, G Jones, L Mulgrew, M Mulgrew, R Pearson, D Pegg, V Redfern, G Rhind, D Shepherd, L Singh, B Stuart, S Taylor, A Tilley, N Tilley and A Wheelton.

The Members who abstained from voting on the resolution above were:

Councillors N Atkin, D Corbin, M Fitzpatrick, M Ford, K Haines, A Kirke, J Lowe, S Meghani, D Muller and P Watson.

CL/123 **CAPITAL BUDGET 2024-25 AND CAPITAL PROGRAMME TO 2028-29**

The Strategic Director (Corporate Resources) presented the report and sought approval of the recommendations.

Members commended the report and supported the officer's recommendations.

RESOLVED:

1.1 Council considered and approved the capital programme expenditure and funding to 2029.

1.2 Council noted the indicative Capital Programme for 2025/26 – 2028/29 and approved the Fleet Replacement budget for 2025/26.

CL/124 **CAPITAL STRATEGY, TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS 2024/25**

The Strategic Director (Corporate Resources) presented the report and outlined the repayment of debts, Capital expenditure and the support for local services.

Members commended the report and supported the officer's recommendations.

RESOLVED:

1.1 Council approved the following appendices 1.1.1 to 1.1.5, to the report, as recommended by the Finance and Management Committee on the 15 February 2024.

1.1.1 Treasury Management Strategy (Appendix 1)

1.1.2 Prudential Indicators (Appendix 2)

1.1.3 Minimum Revenue Provision (MRP) Policy (Appendix 3)

1.1.4 Capital Strategy (Appendix 4)

1.1.5 Non-Treasury Investment Strategy (Appendix 5)

CL/125 **PROPOSED CONTINUATION OF BANDED COUNCIL TAX REDUCTION SCHEME FOR 2024 -2025**

The Strategic Director (Corporate Resources) presented the report sought approval for the continuation of the reduction scheme and support for hardship cases.

Members commended the report and supported the officer's recommendations.

RESOLVED:

1.1 Council approved the continuation of a banded Council Tax Reduction Scheme for working age recipients for 2024/2025, to include the following changes as recommended at Finance and Management Committee on 15 February 2024.

- **Uprating to the applicable amounts in line with the prescribed scheme but with the exception of non-dependent deduction for working age which would remain at £5.00 for 2024/2025 year for all cases.**
- **Adopted any other changes within the prescribed scheme in accordance with the statutory instrument published in January 2024.**
- **To undertake a review of the current Council Tax Reduction Scheme in 2024 to allow time to implement any potential changes for the 2025/2026 scheme following consultation.**
- **The continuation of current funding of £20,000 for hardship cases.**

CL/126 **COMMUNITY GOVERNANCE REVIEW - DRAKELOW: DRAFT RECOMMENDATIONS**

Helen Fudge attended the meeting and presented the report to Council. Members were asked to consider and support the recommendations within the report.

Members supported the recommendations within the report.

RESOLVED:

1.1 Council considered and approved the following draft recommendations in respect of the Drakelow Community Governance Review as the basis for further consultation as required.

1.2 That:

1.2.1 the existing Parish Meeting for the parished area of Drakelow be abolished on 31 March 2025 and replaced with a Parish Council.

1.2.2 a Parish Council for the parished area of Drakelow be constituted with effect from 01 April 2025.

1.2.3 the new Council for the parished area of Drakelow be styled as a Parish Council and constituted as “Drakelow Parish Council”.

1.2.4 the area and boundaries of Drakelow Parish Council remain the same as those on which the current Drakelow Parish Meeting

was based, as indicated on the plan attached at Appendix 2 to the report.

1.2.5 Drakelow Parish Council have nine Parish Councillors when created in 2025 and to rise to eleven when the number of local electors reaches 905.

1.2.6 there will be no Parish Wards in Drakelow Parish Council's area.

1.2.7 in accordance with the statutory Guidance on Community Governance Reviews, Drakelow Parish Council be established with effect from 1 April 2025 and local elections be held in May 2025.

CL/127 **OPEN MINUTES:**

Council received and considered the open minutes of the following Committees.

Committee	Date	Minutes Nos
Housing and Community Services	08 January 2024	HCS/54 – HCS/62
Planning	09 January 2024	PL/137-PL/152
Etwall JMC	10 January 2024	EL/15 – EL/22
Finance and Management	11 January 2024	FM/80 – FM/88
Overview and Scrutiny	17 January 2024	OS/28 – OS/36
Planning (Extraordinary)	23 January 2024	PL/153- PL/159
Environmental and Development Services	25 January 2024	EDS/61 – EDS/74
Licensing and Appeals Sub-Committee	29 January 2024	LAS/31 – LAS/34
Planning	06 February 2024	PL/160 – PL/177
Licensing and Appeals Sub-Committee	12 February 2024	LAS/36 – LAS/39
Overview & Scrutiny	14 February 2024	OS/37 – OS/46

RESOLVED:

That the Open Minutes of the above mentioned Committees were approved as a true record.

CL/128 **APPOINTMENT OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS 2023/24**

Members reviewed the composition of Committees, Sub-Committees and Working Panels 2023/24.

RESOLVED:

Council was informed that no amendments were to be made.

CL/129 **COMPOSITION OF SUBSTITUTE PANELS**

Members reviewed the composition of the Substitute Panels 2023/24.

RESOLVED:

Finance and Management Committee

Councillor A Tilley to be removed.

CL/130 **APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES 2023/24**

Members reviewed the Outside Bodies representation list 2023/24

RESOLVED:

The East Midlands Airport Information Meeting

Councillor S Taylor (Chair of E&DS Committee)

Councillor K Storey (Vice-Chair of E&DS Committee)

Councillor J Carroll

Councillor D Muller

CL/131 **APPOINTMENT OF MEMBER CHAMPIONS**

Members reviewed the Representation of Member Champions.

RESOLVED:

Council was informed no amendments were to be made.

CL/132 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:

That in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined under the paragraphs of Part 1 of Schedule 12A of the Act as indicated in the reports of Committees.

EXEMPT MINUTES OF THE COUNCIL

The Exempt Minutes of the Council Meeting held on 18 January 2024 (CL/107 - CL/109) were approved as a true record.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NUMBER 11

Council was informed that no questions had been received.

EXEMPT MINUTES

Council received and considered the Exempt Minutes of its Committees.

Committee	Date	Minutes Nos
<i>Etwall JMC</i>	<i>10 January 2024</i>	<i>EL/23</i>
<i>Finance and Management</i>	<i>11 January 2024</i>	<i>FM/89–FM/90</i>
<i>Environmental and Development Services</i>	<i>25 January 2024</i>	<i>EDS/75 – EDS/79</i>
<i>Licensing and Appeals Sub-Committee</i>	<i>29 February 2024</i>	<i>LAS/35</i>
<i>Planning</i>	<i>06 February 2024</i>	<i>PL/178 – PL/179</i>

The meeting terminated at 19:45.

COUNCILLOR S BAMBRICK

CHAIR OF THE DISTRICT COUNCIL

In accordance with Council Procedure Rule No.11 Councillor Meghani will ask the Leader of the Council the following question:

“Can the Leader of the Council please explain why so many residents in Hilton – 25 streets across the village – did not have their black bins emptied as scheduled on Monday 11 March 2024?”

REPORT TO:	COUNCIL	AGENDA ITEM: 9
DATE OF MEETING:	11 APRIL 2024	CATEGORY: RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (CORPORATE RESOURCES)	
MEMBERS' CONTACT POINT:	TRACY BINGHAM tracy.bingham@southderbyshire.gov.uk	DOC:
SUBJECT:	MEDIUM TERM FINANCIAL STRATEGY 2024/25 – 2028/29	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That Council approve the Medium-Term Financial Strategy 2024/25 – 2028/29 at Appendix 1.
- 1.2 That Council note the creation of the Sustainable Finance reserve through transfer of £10.4 million from General Reserves, under existing powers delegated to the Strategic Director (Corporate Resources).

2.0 Purpose of Report

- 2.1 To share with Council the Medium-Term Financial Strategy (MTFS) for approval.

3.0 Executive Summary

- 3.1 The Council's current Medium Term Financial Plan is characterised by funding gaps brought about by assumed funding reforms.
- 3.2 This MTFS is a five-year assessment of the resources required to deliver Council services, set against a new strategic Sustainable Finance Plan to close the ongoing budget gaps predicted by the Council's current medium-term financial plan (MTFP).
- 3.3 The Sustainable Finance Plan incorporates the generation of new income and reduction in expenditure, and alongside a new Reserves Strategy, enables the Council to project an ongoing balanced budget position.
- 3.4 The strategy also sets out the establishment of a new Sustainable Finance Reserve through transfer of the balance of reserves above the approved minimum level of reserves, for which the Strategic Director (Corporate Resources) has sufficient delegation.
- 3.5 The MTFS has been reviewed by the Finance and Management Committee at their meeting on 14 March 2024. The Committee approved to recommend the strategy to Council subject to making any necessary amendments and clarification of wording

delegated to the Strategic Director (Corporate Resources) in consultation with the Committee Chair.

4.0 Detail

Background

- 4.1 The Council has maintained a MTFP in recent years, with reviews and updates being undertaken on a quarterly basis and aligned annually with the budget. The MTFP has included provisions for growth and inflationary demands alongside assumptions and associated financial risks. Recurring budget gaps forecast each year of the plan have been a persistent feature.
- 4.2 As part of developing the 2024/25 budget, councillors were consulted on the budget setting approach, including the proposed creation of a new, overarching MTFP to compliment the current approach to medium-term financial planning, previously managed through the MTFP practices.
- 4.3 The adoption of a MTFP is considered good practice and supports good public financial management. Alongside budget development, performance management and budget monitoring, the ability to strategically look beyond the current budget period of one year is crucial to supporting an organisation's ongoing resilience and long-term financial sustainability.
- 4.4 This overarching strategy considers the future funding expectations and opportunities for increasing the Council's self-sufficiency in the light of an uncertain future funding outlook and a cycle of recurrent 1-year local government funding settlements, whilst ensuring the Council can continue to fund and deliver excellent services.
- 4.5 The Chartered Institute of Public Finance and Accountancy (CIPFA) cite that a good strategy should provide the reader with a clear view of future sustainability and the decisions needed to address any gaps.
- 4.6 In the "Best Value Standards and Intervention – A statutory guide for best value authorities" consultation, published by the Department of Levelling Up, Housing and Communities (July 2023) a "financial strategy that is aligned with strategic priorities alongside a robust process for reviewing and setting the budget" was identified as being a characteristic of a well-functioning authority.
- 4.7 The MTFP set out at Appendix 1 presents a five-year assessment of the resources required to deliver Council services and a new strategic Sustainable Finance Plan, which along with a Reserves Strategy, will close the budget gaps predicted.
- 4.8 Necessary background information is included in the strategy to enable the reader to gain a comprehensive picture of the council's current and projected financial health – with and without interventions.
- 4.9 Section 4 of the plan provides reference to the Housing Revenue Account and projection over the medium-term. However, the focus of the MTFP is on the General Fund, recognising that the HRA requires a separate financial strategy that will form part of the Housing Revenue Account Business Plan. At the time of writing this report, the findings and recommendations of the Housing review are due to be presented to the Housing and Community Services Committee in the coming months and this will set out the timing of the review and updating of the HRA Business Plan.

Strategy development approach

- 4.10 The strategy has been co-designed with elected Councillors, the Council's Leadership Team and Heads of Service.
- 4.11 An informal workshop with all elected councillors was held in December 2023 to scope the ambitions for the strategy and specifically the themes within the Sustainable Finance Plan. Similar sessions were held with the Leadership Team and Heads of Service to garner ideas. The level of savings that will be developed were subsequently scoped with Finance and the Leadership Team.
- 4.12 The draft strategy was shared with the Finance and Management Committee at its meeting on 14 March 2024. The strategy was also shared with the Overview and Scrutiny Committee at its meeting on 27 March 2024.

The Council's Financial Outlook

- 4.13 As the 2024/25 General Fund budget was approved, the MTFP was updated and an assessment of all assumptions that drive the future financial forecasts in the plan undertaken. Along with the effect of the structural changes to the 2024/25 budget from the 2023/24 position, this review of assumptions altered the forecast deficits of the council over the forthcoming five-year period.
- 4.14 The current MTFP outlook projects budget gaps each year of the plan as set out below. With the exception of the final year of the plan (2028/29), the Council can balance the budget with the use of reserves – until those reserves are depleted in 2028/29.
- 4.15 Analysis is provided to set out the worst and best-case scenarios against a “base case” (the most likely outcome). A further scenario around there being no future reform of funding is also set out to show the favourable position of the Council, if the current funding regime were not to change.
- 4.16 The current financial plan is set out in Section 3 of the Strategy at Appendix 1.

Delivering a balanced budget – the Sustainable Finance Plan and Sustainable Finance Reserve

- 4.17 Section 5 of the strategy sets out the 5 themes to how the Council will generate income and reduce its expenditure to close budget gaps via the Sustainable Finance Plan.
- 4.18 There is a strong emphasis in the Sustainable Finance Plan on generating more and new income. There are reductions in expenditure, but these are not characterised by reductions or cuts. As such, the Sustainable Finance Plan
- 4.19 Over the term of the strategy, the plan sets out total “savings” via income generation and tradition expenditure savings of £11 million.
- 4.20 The accompanying Reserves Strategy, also outlined in Section 5, determines that the balance of General Fund reserves above the minimum operating level required (£1.35 million, as approved by Council 28 February 2024) is set aside in a new Sustainable Finance Reserve. This new reserve will be maintained to balance the budget where income and savings do not close budget gaps in full, but also used to fund projects and/or initiatives to deliver this in [Page 24 of 99](#)

4.21 Existing powers are delegated to the Strategic Director (Corporate Resources) are in place for the creation of this reserve.

5.0 Financial Implications

5.1 Budget gaps are estimated to occur within the current financial year and forthcoming financial years. Largely, these budget gaps are because of assumed changes in the national local government funding system, which at the time of writing this report, the nature and timing remains uncertain and is likely to remain so for some time.

5.2 The cumulative value of these budgets gaps is £14.5 million over the period which would deplete the Council's reserves by 2029 if no intervention were undertaken, therefore representing an unsustainable position.

5.3 This MTFs sets out a Sustainable Finance Plan for closing the budget gaps through the generation of more and new income and reduction in expenditure to the value of £11 million. The Reserves Strategy will compliment this plan by providing financial resources to facilitate initiatives and projects under the Sustainable Finance Plan or close remaining budget gaps.

5.4 The impact of the MTFs is that the Council remains financially sustainable over the period to 2029.

6.0 Corporate Implications

6.1 The MTFs sets out the finances required to deliver the Council Plan over the period.

6.2 Delivery of the Sustainable Finance Plan will be led by the Council's Chief Executive. A member of the Leadership team will be nominated by the Chief executive to lead a theme of the Sustainable Finance Plan.

6.3 Effective monitoring of the plan will be undertaken and regular updates to Committee will be provided as part of this.

Employment Implications

6.4 There are no direct employment implications arising from these proposals. In the future, it is likely that there will be service reviews under the Transformation theme of the Sustainable Finance Plan. However, the aim of these reviews will be about service enhancement rather than identifying cashable efficiencies, so job losses are not featured. Relevant staff and the Trade Unions will be engaged and involved in service reviews.

Legal Implications

6.5 There are no direct legal implications arising.

6.6 The Best Value Duty relates to the statutory requirement for local authorities and other public bodies defined as best value authorities in Part 1 of the Local Government Act 1999 to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". The draft MTFs set out at Appendix 1 seeks to ensure the Council can continuously improve its operations.

Risk Impact

- 6.7 The Council has recognised a strategic risk in its risk register around a reduction on core funding from government and a proposed mitigating action to develop a MTFS was included in Q2 2023/24.
- 6.8 Development of this MTFS enables the Council to mitigate the risk that future funding reductions could effectively bankrupt the Council.

7.0 Conclusions

- 7.1 The current outlook for the Council necessitates the approval of an overarching Medium Term Financial Strategy.

8.0 Background Papers

- 8.1 Report to Finance and Management Committee on 5 October 2023: [Budget Setting Approach 2024/25](#)
- 8.2 Report to Finance and Management Committee on 23 November 2023: [Consolidated Draft Budget Report 2024/25 and Medium Term Financial Plan to 2028/29](#)
- 8.3 Report to Finance and Management Committee on 15 February 2024: [Consolidated Budget Report 2024/25 and Medium Term Financial Plan to 2028/29](#)
- 8.4 Report to Council 28 February 2024: [General Fund Revenue Budget Report 2024/25 and Council Tax Setting 2024/25](#)



South
Derbyshire
District Council

Medium-Term Financial Strategy

2024/25 - 2028/29

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Section 1 – Introduction

1.1 Aims and purpose of the Medium-Term Financial Strategy

This Medium-Term Financial Strategy (MTFS) provides a strategic framework and approach to long-term financial sustainability of South Derbyshire District Council. It is core to the ongoing delivery of priority outcomes in the 2024 – 2028 Council Plan and aids robust and methodical planning.

Using forecasting techniques, this strategy sets out the Council's most likely Medium-Term Financial Plan alongside other potential scenarios surrounding known pressures, major national policy and economic issues, and local priorities and factors. Good and effective financial management and planning enables the Council to respond to pressures and changes because of after many internal and external influences.

An overarching MTFS is good practice – it provides the strategic financial framework for the Council at a time of considerable funding and economic pressure for Local Government. Critically, the strategy underpins the delivery of ongoing efficiency and budgetary savings. The key overriding aim of the MTFS is it provides a high-level assessment of the financial resources required to deliver South Derbyshire District Council's strategic priorities and essential services over the next five years.

The strategy has been developed by Elected Members of the Council, the Leadership and Extended Leadership Team.

The key objectives of the MTFS are to:

- Provide financial parameters within which budget and service planning should take place over the life of this strategy;
- Ensure the Council meets its commitment to deliver a balanced budget on an ongoing basis and that the Council's long term financial health and viability remain sound;
- Focus and re-focus the allocation of resources so that priority areas receive additional funding;
- Maximise the use of resources available to the Council;
- Ensure our Reserves Policy is aligned with our ambitions and at the same time, protects us against unforeseen events;
- Enable the Council to respond to external pressures, particularly funding reforms;
- Highlight and assess financial risks and put mitigating controls in place;
- Enable the Council to better define services based on a clear alignment between priority and affordability;
- Ensure the Council manages and monitors its financial resources effectively so that spending commitments do not exceed resources available.

1.2 Key strategies and plans

Council Plan 2024 - 2028

The Council's policy drivers are the priorities as set out in the [Council Plan 2024 - 2028](#) which was approved by Council at its meeting on 28 February 2024. The plan sets out the Council's vision to "work together to shape our environment, drive our economy and support our communities" and our four key priorities to deliver this which are set out below, along with detail of values that describe how the Council work to achieve their vision.

<p>Priority: Shape our Environment</p> <p>A sustainable future adapting to and mitigating climate change to deliver our net zero commitments so that future generations can thrive.</p>	<p>Priority: Drive our Economy</p> <p>A thriving economy and place that has jobs, skills, education, infrastructure, and opportunity.</p>	<p>Priority: Support our Communities</p> <p>People and communities are supported to live safely, healthily and independently.</p>	<p>Priority: Transform our Council</p> <p>Providing modernised, high performing, value for money and customer focused services.</p>
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Our values are:

- Working together: Working as a team to serve our residents.
- Accountability: Taking ownership of the service that we deliver.
- Respect: We value and listen to each other.
- Fairness: Offering equal opportunities for all.
- Being Responsive: We have a 'can do' attitude and respond to the needs of others quickly, positively and appropriately.
- Innovative: Looking for new solutions.
- Excellence: Delivering our services to the highest possible standards.

Capital Strategy

The capital programme sets out the capital plans for the next five-year period, taking account of any capital investment required to deliver outcomes, transformational change, and Council priorities. The programme is reviewed annually to ensure projects are still in line with outcomes, and that the programme is affordable.

The Capital Strategy details the priorities of the Council in terms of capital expenditure and its financing need and sources, and provides a framework for the Council's capital plans to be agreed and delivered within. The Capital Strategy and supporting capital programme are approved each year in February by Council.

Since 2023, the Council has actively considered capital investment through borrowing. Historically, the general approach has been to fund any capital investment through capital receipts or revenue contributions. Borrowing relating to the General Fund is expected to be £1.127 million in 2024/25, rising to £2.095 million in 2025/26 and £2.44 million in 2026/27, as set out in the Capital Strategy 2024/25 – 2028/29.

Treasury Management Strategy (TMS)

The Treasury Management Strategy is reviewed annually and provides the framework within which authority is delegated to the Strategic Director (Corporate Resources) and Section 151 Officer to make decisions on the management of the Council's investment of surplus funds. The Council defines its Treasury Management activities as: "Treasury management is the management of the Council's cash flows, borrowing and investments, and the associated risks".

Part of the Treasury Management Strategy is to ensure that the cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low-risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.

The second main function of the Treasury Management Strategy is the funding of the Council's Capital Programme. The Capital Programme provides a guide to the borrowing need of the Council, essentially the longer-term cash flow planning to ensure that the Council can meet its capital spending obligations.

This management of longer-term cash may involve arranging long or short-term loans or using longer term cash flow surpluses. On occasion, any debt previously drawn may be restructured to meet the Council risk or cost objectives.

The Housing Revenue Account's self-financing settlement in 2012 involved the Council taking on £57.423 million of Public Works Loan Board (PWLB) borrowing. It has been the Council's policy to make a prudent provision of revenue set aside for the repayment of these self-financing loans, in line with the actual debt repayment profile. Contributions are made annually from the HRA general reserves into a debt repayment reserve in readiness for the maturity. £10m is due in March 2024 and March 2027.

However, given the current outlook on the HRA General Reserve which has arisen due to several factors but in part the changes in government legislation which has impacted detrimentally on the financial position of the HRA, deferment of the 2027 repayment has been approved in the TMS for 2024/25, pending a restructuring of the self-financing loan debt repayment plan and revision of the HRA Business Plan.

Other key strategies and plans

The Council has a range of other key strategic documents, which include:

- **The Local Plan** - The Council's Local Plan was adopted in two parts – Part 1 in June 2016 and Part 2 in November 2017. The Plan sets the long-term vision, objectives, and strategy for the spatial development of South Derbyshire and the amount of housing and employment development required within the District over the plan period which runs to 2028. The plan also allocates strategic housing and employment sites and contains policies used in the determination of planning applications. A review of our Local Plan is currently underway and we expect our new Local Plan to be approved by June 2025.
- **Climate and Environment Strategy and Action Plan** - To support the Council's Climate Emergency declaration, in January 2020 the Council developed this strategy which highlights the climate crisis with a supporting action plan. In May 2021 and again in July 2022 the Climate and Environment Action Plan was updated to reflect the Council's pathway to carbon neutral for its activities by 2030 and District aims of carbon neutrality before 2050.
- **South Derbyshire Action Plan for Nature** – produced by Derbyshire Wildlife Trust in 2021 on behalf of the Council, this plan provides a strategic and spatial plan for nature's recovery in the District.
- **Procurement Strategy** – The Procurement Strategy 2020 – 2024 sets out the Council's strategic approach to procurement. The Strategy is currently under review considering this Medium-Term Financial Strategy and changes in the Public Contract Regulations which come into force for councils from October 2024.
- **Transformation and Business Change Plan** – The Transformation and Business Change Plan 2020 – 2024 sets out the four-year plan to support the delivery of several corporate priorities and to enable business change at the Council. Given the focus of the Council's new Council Plan on transforming services which features heavily in this MTFs, this plan will be superseded by a new Digital and Customer Improvement Plan which will form part of a new Transformation Strategy (see below).

Other key strategies and plans under development

The Council also has a range of other strategic documents under development, which include:

- **Customer Access Strategy** – The Council is currently out to consultation on its draft Customer Access Strategy which details how the Council will serve its customers, and to define the projects and initiatives it needs to deliver to achieve its ambitions. We want local

people to feel valued by their Council, trust us and have excellent customer experiences in their dealings with us, whatever channel they choose.

- **People Strategy** – The Council is developing a People Strategy, which will detail how we will become an employer of choice, enhance our employment experience, and implement modern, agile, and relevant employment practices to retain, recruit, reward, develop and invest in our workforce.
- **Commercial Strategy** – This developing strategy will define what a commercial approach means for the Council and the broad principles of how we will generate additional income and create a commercial acumen across all levels to act in a more business-like manner to achieve better outcomes for residents.
- **Transformation Strategy** – One of the four key priorities within the Council Plan is around transforming services and this theme also features heavily in this MTFS in the pursuit of financial savings. This developing Strategy will set out how the Council will ensure services have the right resources and are modern, responsive, efficient and effective and how both cashable and non-cashable efficiency savings will be maximised to further better the services we deliver on behalf of residents.
- **Fleet Management Strategy** – The Fleet Replacement Strategy, approved in January 2024 will help to ensure that the Council has a fit for purpose, safe, reliable and cost-effective vehicle fleet in the right place at the right time and at the right cost to support the strategic, corporate and service goals and objectives of the Council and to assist good service delivery.

Section 2 – Outlook

2.1 Political, economic, and regulatory outlook

The national fiscal and economic situation is an important consideration for the Council.

In the Office for Budget Responsibility (OBR) Economic and Fiscal Outlook report, delivered as part of the Autumn Statement in 2023, some signs of economic stability were shown, as forecasts began to improve from the previous forecasts. Slow economic growth was predicted with Gross Domestic Product (GDP – a measure of the size and health of the country's economy over a period) around 0.5 per cent higher in the medium term than previous forecasts, expecting to be 0.7% growth in 2024. Inflation was predicted to fall to 4.8% by the end of 2023/24 and return to its 2% target in early 2025/26 and interest rates are expected to need to remain higher for longer to bring inflation under control.

The context for managing a council's ongoing financial sustainability remains increasingly challenging. Throughout the 2023/24 several councils have issued Section 114 notices (effectively declaring themselves bankrupt) and many others have publicly reported the potential need to do so. The combined impact of reduced grant funding, high levels of inflation and increasing demand for services have created an extremely challenging operating environment.

Currently there are several significant financial challenges for the sector including: the continued impacts of the persistent UK inflationary crisis which began in 2021; increasing service pressures in social care and homelessness; ongoing and severe recruitment challenges; restrictions on council's ability to generate commercial income; and the uncertainty surrounding local government funding.

Since 2010 the local government funding system has changed dramatically, with there now being an increasing reliance on localised funding sources such as fees and charges, but also Council Tax and Business Rates, that is in part controlled largely by central government. In autumn 2023, various sector bodies publicly raised concerns over funding for councils. The Local Government Association (LGA) reported that councils face a funding gap of £4 billion over the next two years.

Despite additional funding announcements made as part of the final Local Government Finance Settlement in February 2024, many councils and representative bodies have continued to publicly declare concern of a national scale. There remains no firm timetable for funding reform. As part of the settlement announcement, the Minister for Local Government, the Secretary of State, stated that the Department for Levelling Up, Housing and Communities will begin engaging with the sector over the coming months to consider reforms to local government finance in the next Parliament.

The Secretary of State also outlined in his settlement announcement the requirement for councils to produce "local productivity plans" which are expected to be published following approval by Council Leaders and Members, by July 2024. The plans are expected to cover four main areas: transformation of services to make better use of resources; opportunities to take advantage of technological advances and maximising data-

informed decision making and service design; ways to reduce wasteful spend within systems, including specific consideration of expenditure on consultants and equality, diversity and inclusion programme; barriers preventing activity that government can help to reduce or remove.

Against this economic, political, and regulatory position is the status of local government audit in England. Since 2020, a significant number of local audits have not been completed and remain outstanding. The government, working with the Financial Reporting Council (FRC) and other system partners, is taking steps to clear the backlog, and put the system on a sustainable footing moving forward. Local audit is acknowledged and upheld as both a vital and independent source of assurance and a key element of the checks and balances within the local accountability framework. The backlog in the publication of audited accounts has grown to an unacceptable level.

Moving forward, the Office for Local Government (“Oflog”), launched in July 2023, will seek to strengthen the existing systems that support local government in England to get better. Oflog’s draft Corporate Plan, which is at the time of writing this strategy out to consultation, seeks to empower citizens to hold local leaders to account, while supporting local leaders to innovate and drive self-improvement. The key activities of Oflog are:

- Inform: increase understanding - among citizens, civil society, central government and local government itself - about data on the performance of local authorities;
- Warn: help identify local authorities that are at risk of failure but have not raised the alarm themselves; and
- Support: support local government to improve performance, productivity, and value for money: championing best practice, improving data capability and rationalising a complex data landscape.

Practically, this will require the Council to become more active in respect of improving performance, productivity and value for money. The first critical requirement for councils is expected to be the requirement to publish a Productivity Plan in the Summer of 2024.

2.2 The Council’s own strategic outlook

About South Derbyshire

South Derbyshire, located in the centre of England, covers an area of 112 square miles, adjoining the City of Derby to the north, Burton on Trent to the west, and Ashby-de-la-Zouch to the east. It includes the rolling countryside to be found in the valleys of the Rivers Trent and Dove, with historic settlements, including Melbourne, Ticknall, and Repton, and the market town of Swadlincote. A significant part of the District is rural, which attracts visitors and people seeking relaxation or a good work-life balance.

The main population and employment centre of the district is Swadlincote, with a population of some 40,000. New housing development has led to a rapid growth in the District in recent years, and the construction of further homes is anticipated. Other sizeable settlements include the attractive Georgian town of Melbourne and the villages of Hilton, Hatton, Repton, and Willington. The National Forest is at the heart of South Derbyshire and is a key asset to the District, a unique national initiative to create a new forest in what was one of the least wooded areas of the country. In the last 25 years, over 9 million trees have been planted, creating an attractive environment and quality of life. Around one third of the National Forest is within the District of South Derbyshire.

South Derbyshire Heart of the National Forest

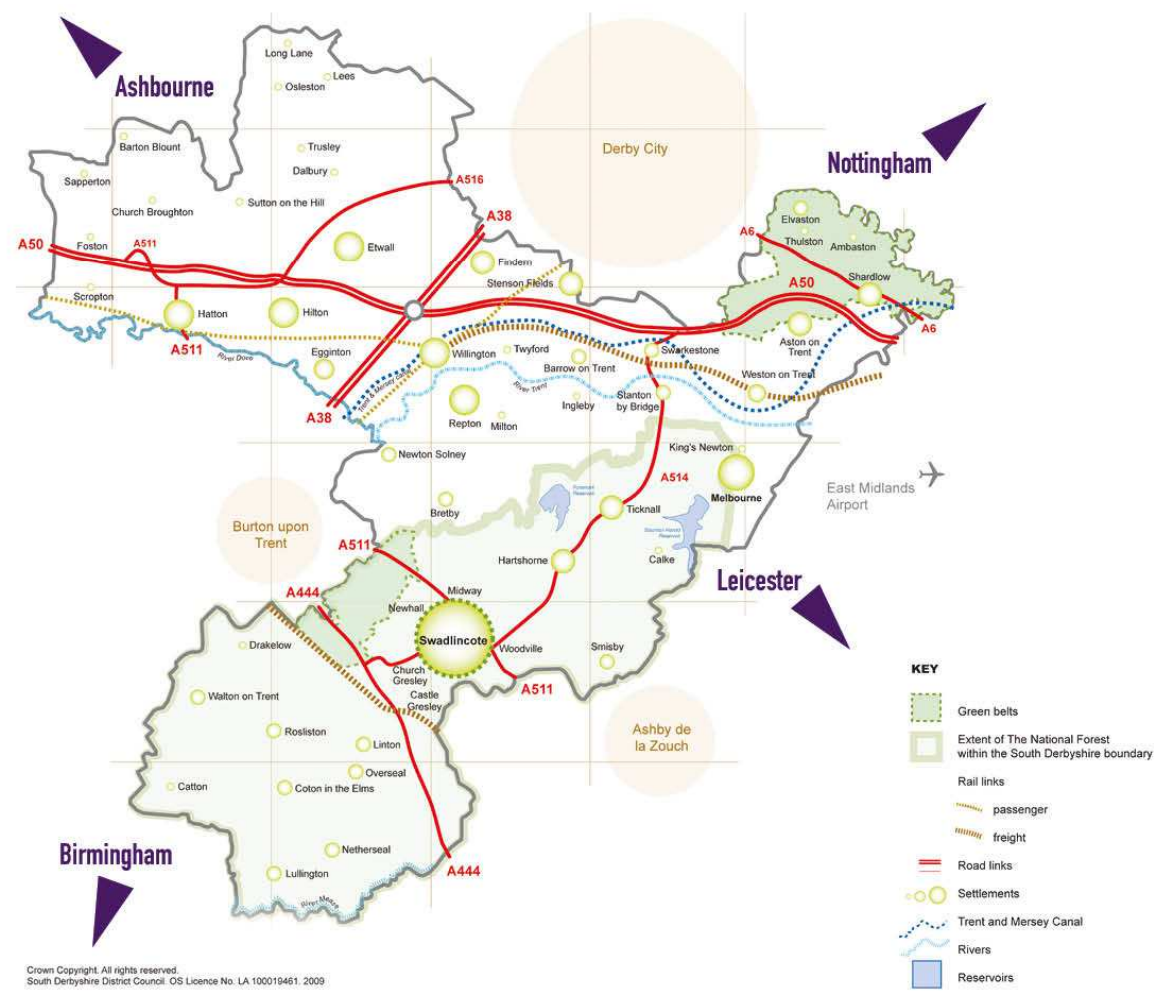
For many years, the District has been the fastest growing in Derbyshire and is currently one of the fastest growing in England outside of the South-East.

There are 107,200 people living in the District (2021), compared to 94,611 in the 2011 Census - a 13% growth in population.

57% of people live in an urban area and 43% of people live in a rural area of the District (ONS).

The total population of the District is forecast to be 120,342 by 2028 (ONS).

ONS - Office for National Statistics.



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2.3 Local Government funding

How the system works

Broadly, councils receive funding from three main sources – direct from central government in the form of grant, from local businesses in the form of a local tax on commercial properties (Business Rates) and a local tax on residential properties (Council Tax). Across these different systems, there is interplay between how much grant is received, how much Business Rates are retained (before being passed back to central government as part of the 50% retention system) and how much a council can generate locally in Council Tax.

Central government grants can be ringfenced and relate to specific areas of activity (such as homelessness) or be general and make up ‘core funding’. Grant funding in the form of core funding (particularly Revenue Support Grant) has declined in recent years overall for all councils. But for those who have achieved housing growth, grant funding may have been sustained or even increased due to the incentivised New Homes Bonus Scheme.

Business Rates are a tax on commercial properties paid by businesses and are known as National Non-Domestic Rates or ‘NNDR’. Business Rates are part of a national system and although collected locally, the system is mainly controlled by central government. This includes the setting of rates via the Valuation Office Agency (VOA). Today, the Business Rates Retention System determines how much of the income collected by a council can be retained. The system allows for 50% of rates to be retained locally, after a ‘tariff’ or ‘top-up’ is applied depending on whether a council is deemed able to generate business rates based on their local economic circumstances. The remaining 50% is transferred back to central government. However, the system has become increasingly flawed in recent years because the amounts that each council gets to retain in the system is fixed at the original assessment made in 2013. The fix for this flaw – the ‘resetting of the business rates baseline’ has been outstanding now for several years. The consequence of the flaw means that councils who have generated growth in their area are able to retain much larger amounts of rates locally but may lose this sharply when the system is reset.

Council Tax applies to residential properties and is paid by residents. The total tax paid in an area will include a precept for the Police and Crime Commissioner as well as the County and District, and where relevant Parish or Town Council. Although a local system, the government imposes a system of referendum limits meaning that increases are capped. For districts, this has been at the highest of 2.99% or £5 for several years. A council could seek to raise its share of Council Tax beyond the cap set by government, but to do so they would need to hold a local referendum for residents to vote upon and the costs of undertaking a referendum are likely to outweigh the benefit of a higher than cap increase, certainly in the early years. Further central controls limit the local discretion around Council Tax, including no flexibility on certain exemptions on properties (such as student discounts) and no flexibility to raise Council Tax for different bands at different rates.

2024/25 Local Government Finance Settlement and proposed changes to the Local Government Funding Regime

The one-year 2024/25 local government finance settlement provided means that understanding our funding post March 2025 is extremely difficult. Changes to the funding regime that have been anticipated for several years as part of the Review of Needs and Resources and Business Rates Reform remain delayed with no clear timetable from government communicated. A review of Business Rates Retention (BRR) was announced in 2013/14. The call for evidence on the fundamental review of Business Rates closed in December 2020 but there is still no

resolution on how this should be taken forward. This will be alongside further consideration of a possible reset of accumulated Business Rates growth and how this might be applied. There have been various consultations concerning the future of the New Homes Bonus, but no detail has been confirmed. As part of the 2024/25 settlement, the Secretary of State has committed to a review of local government funding being taken forward in the next parliament.

In the 2023/24 Local Government Finance Settlement, a new “Funding Guarantee” was introduced to ensure that all councils saw at least a 3% increase in their core spending power. South Derbyshire received £1.748 million, in part due to the reduction in its New Homes Bonus award, as the bonus payment profile diminished in line with its planned phase out of legacy years payments. This funding was confirmed for 2024/25 in the settlement. Coupled with New Homes Bonus payments, the grants now make up broadly 25% of in-budget funding for the Council.

Local Authority Audit

Since 2020, a significant number of local audits have not been completed and remain outstanding and this has impacted South Derbyshire. At the time of writing, the annual draft Statement of Accounts for South Derbyshire for 2021/22 and 2022/23 are published and publicly available, but the audits have not been completed. Confirmation of the plans for completion of this outstanding audit work from the Council’s appointed auditors Ernst and Young LLP is being sought.

2.4 The makeup of The funding arrangements for South Derbyshire District Council

Core Spending Power

The illustration below, provided by financial benchmarking provider [LG Improve](#), shows the current position of Core Spending Power (the government’s measure of funding) for South Derbyshire against the Derbyshire district and all district Councils’ average positions. This position highlights the risk for South Derbyshire in relation to its reliance on New Homes Bonus and grant (in the form of “Funding Guarantee”). “SFA” in this context refers to the Settlement Funding Assessment and it essentially the level of Business Rates the government assumes for the Council. However, the level of Business Rates retained by the Council is much higher due to the growth generated in the system and retained pending the resetting of the baseline, and additional amounts retained due to the Council’s participation in the Derbyshire Business Rates pool.

Illustration 1 – Core Spending Power 2024/25

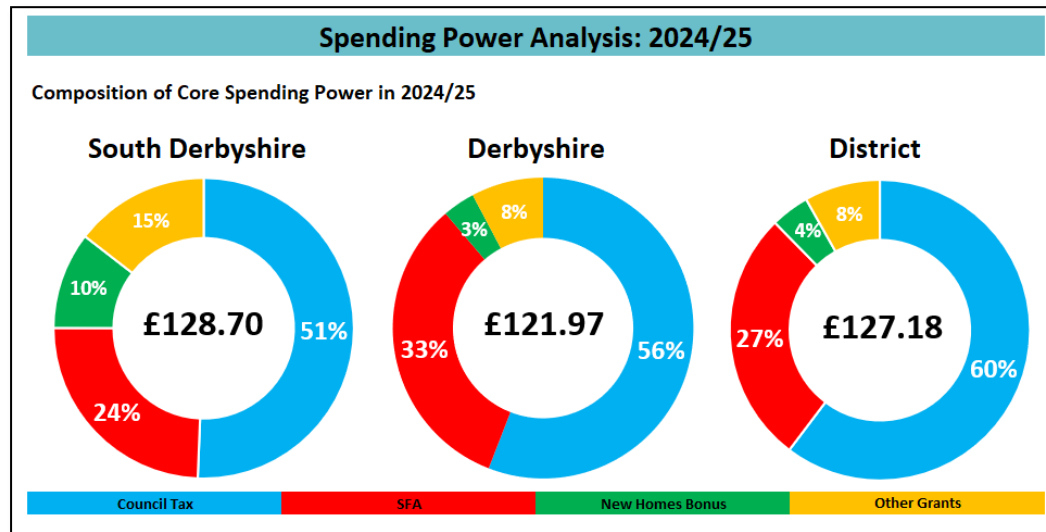


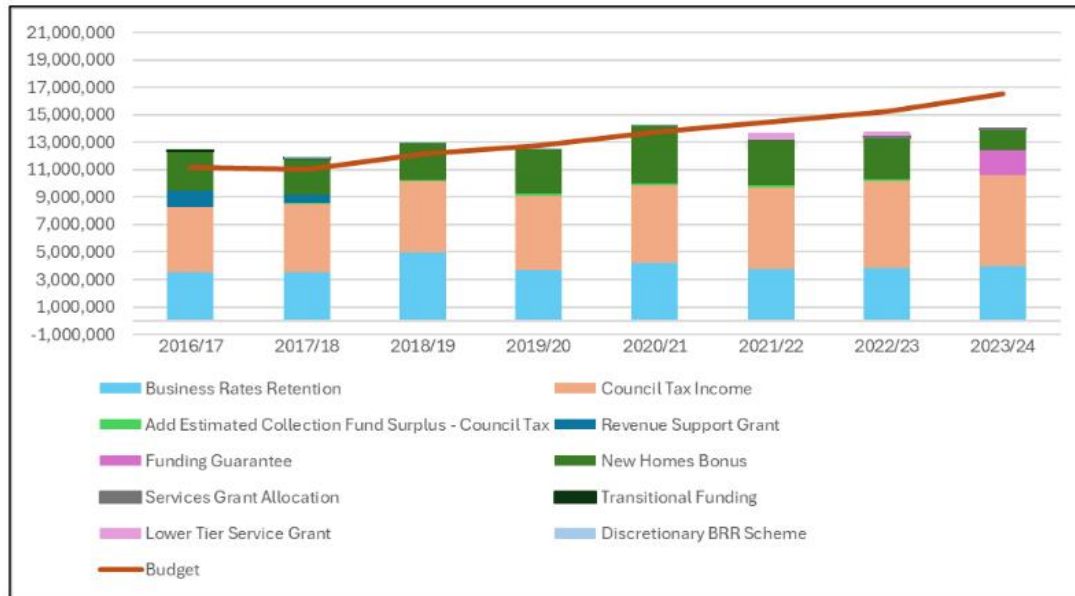
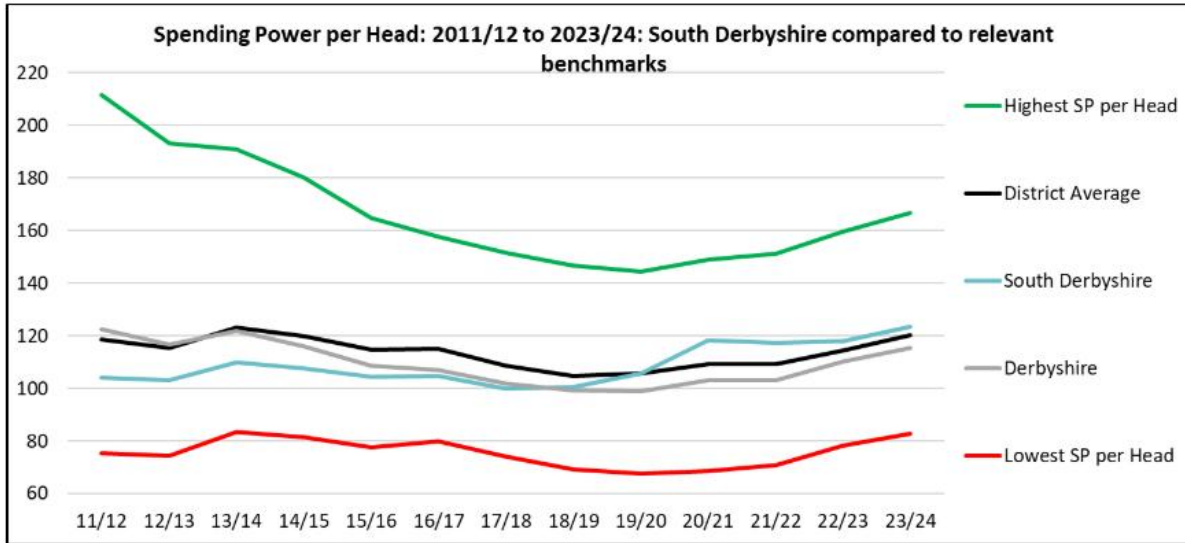
Chart 1 – Spending Power per head of the Council compared to other districts

Sources of funding and how they have changed over time

Like all councils, funding composition has changed in recent years. From 2018/19 Revenue Support Grant ('RSG') funding, which had until then been a source of funding for the Council, was no longer provided. RSG has made a return in 2023/24 and is forecast into future years.

As illustrated in Chart 2 below, New Homes Bonus receipts has provided a substantial amount of core funding over time, to be replaced in 2023/24 by the Funding Guarantee as part of the 2023/24 Local Government Finance Settlement and a new guarantee to ensure that all councils saw at least a 3% increase in core spending power. Without this, the Council would have lost c. £1.7 million of funding between the 2022/23 and 2023/24 years.

Chart 2 – Sources of Funding – Historical Analysis



Council Tax

Despite significant population and housing growth in the district in recent years, Council Tax income on a per capita basis remains lower quartile in comparison to other district councils (Chart 3). This is in part due to the Council previously having a low tax base in 2011/12 (Chart 4), with a higher proportion of properties banded A – C which serves to reduce the Council Tax base overall.

However, the Council's Band D position per head remains lower quartile (Chart 5). This is despite the Council having seen the fastest taxbase per head growth out of English District Councils since 2011 to date. Although this has served to increase the level of Council Tax funding for the Council, it has only served to marginally improve the Council Tax income per head position. This is a combination of a low Band D value itself because of lower-than referendum limit increases since 2011 (as set out in Table 1 below).

Although the taxbase has increased dramatically in later years, the tax base itself remains median when compared to peers. This can be attributed in part to a higher proportion of lower banded properties in the area and the number of households who receive support via the Council's Council Tax Support, both of which have the effect of reducing the Band D numbers.

Within Derbyshire, South Derbyshire has the lowest value Band D in the area in 2023/24 (Illustration 2). Despite the Council taking advantage of the 2.99% increase in 2024/25, South Derbyshire will remain the lowest. In contrast, taxbase per head is the highest in Derbyshire.

The charts below are from the Council's financial benchmarking provider [LG Improve](#).

Chart 3 – Council Tax Income per head

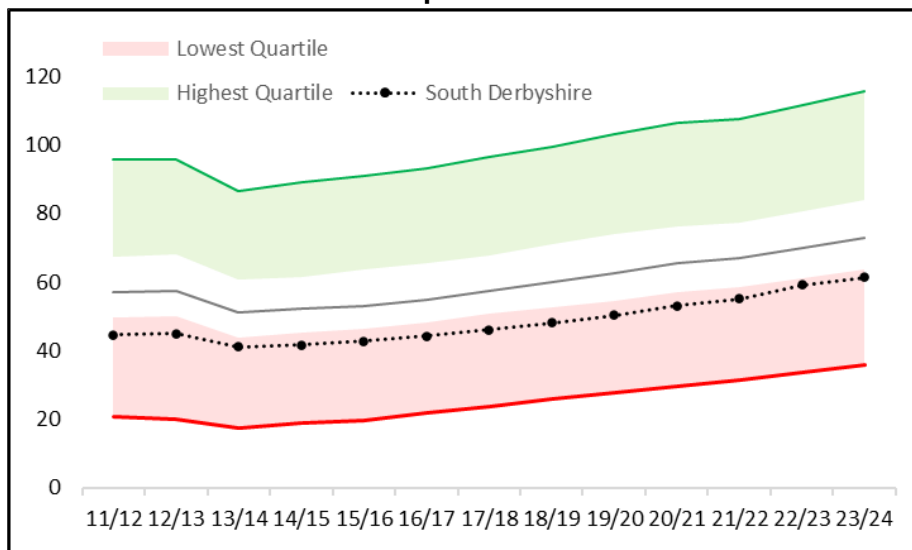


Chart 4 – Taxbase per head

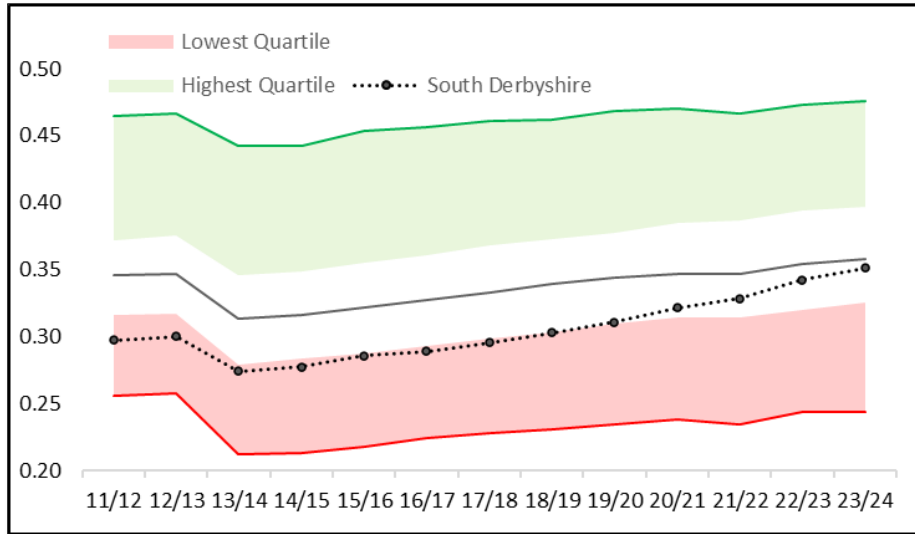


Chart 5 – Band D Council Tax

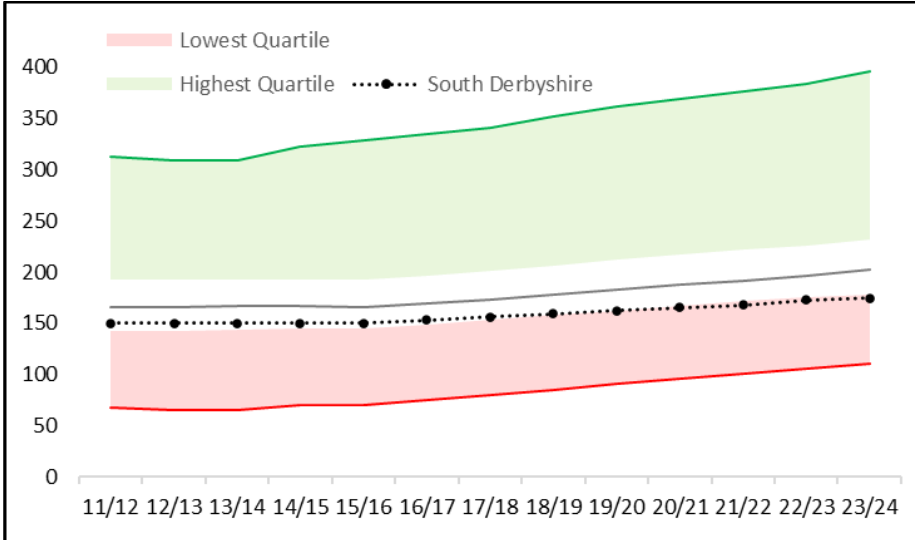
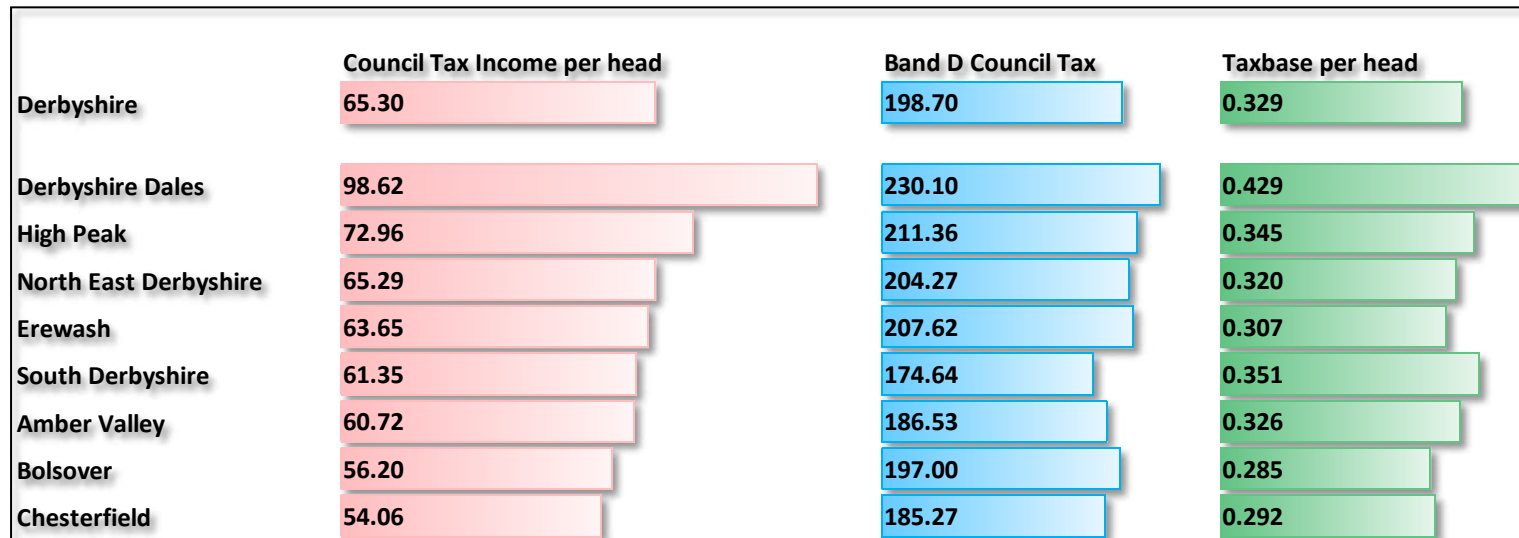


Table 1 – Council Tax Band D for South Derbyshire 2011/12 – 2024/25

Year	band D	£ increase	% increase
11/12	150.25		
12/13	150.25	0.00	0.00%
13/14	150.25	0.00	0.00%
14/15	150.25	0.00	0.00%
15/16	150.25	0.00	0.00%
16/17	153.18	2.93	1.95%
17/18	156.17	2.99	1.95%
18/19	159.21	3.04	1.95%
19/20	162.31	3.10	1.95%
20/21	165.48	3.17	1.95%
21/22	167.96	2.48	1.50%
22/23	172.91	4.95	2.95%
23/24	174.64	1.73	1.00%
24/25	179.86	5.22	2.99%

Illustration 2 – Council Tax Band D for Derbyshire District Councils 2023/24



Business Rates

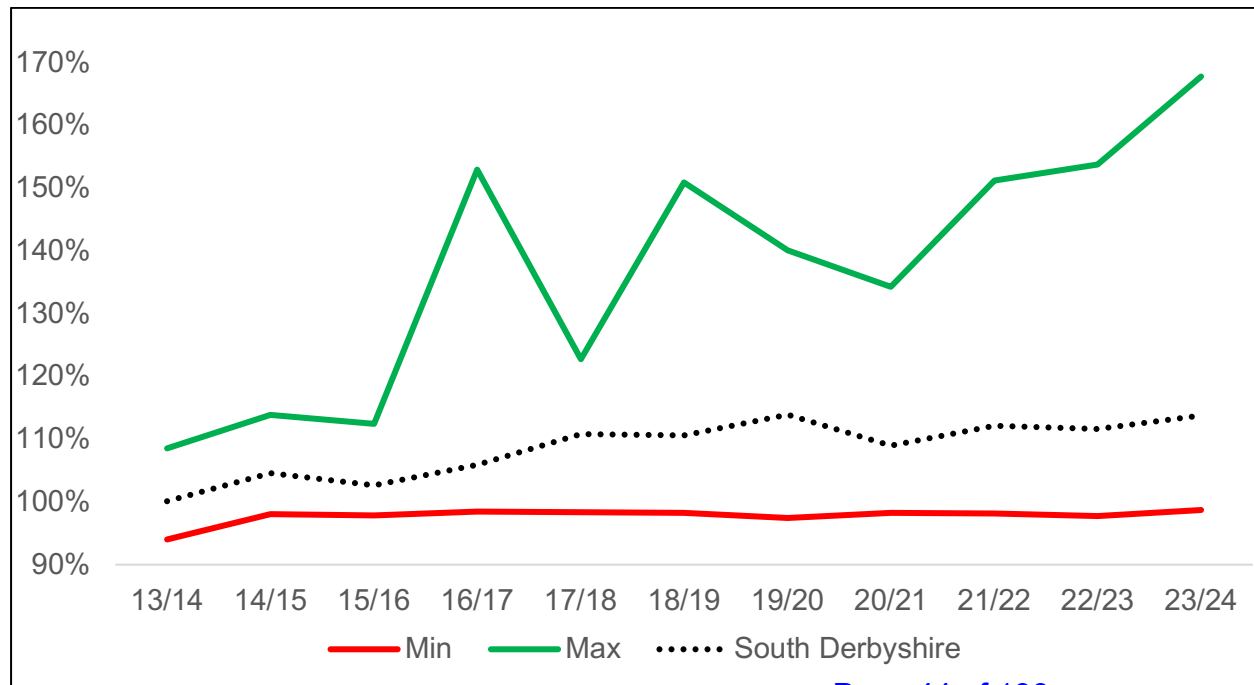
The Council has benefitted from Business Rates growth above the baseline set in 2013 under the current Business Rate Retention System. Additionally, the Council has benefit through its participation in the Derbyshire Business Rates Pool, which allows for a greater proportion of growth to be retained centrally rather than being passported back to central government.

Assuming a resetting of the Business Rates baseline is taken forward, this will impact the Council adversely, both through the reduction in its retained rates under the system, but also through its additional rates retained through participation in the Derbyshire Business Rates Pool.

The chart below from financial benchmarking provider [LG Improve](#) shows the position of the Council's Business Rates gain as a percentage of its spending power compared to other district councils.

In their [Financial Resilience Index](#), the Chartered Institute of Public Finance and Accountancy (CIPFA) categorise South Derbyshire as 'Higher Risk' in relation to 'Growth Above Baseline' indicator which is calculated as the difference between the baseline funding level and the retained rates income, over the baseline funding level and compared to other District Councils in England.

Chart 6 – Business rates gain / (loss) as a percentage of Spending Power



Locally generated income

The Council is set to generate £2.9 million in local fees and charges in 2024/25 (excluding commercial estates income). Some of this income comes from statutory services which the Council must provide and for which the level of fees or charges are after levy dictated by central government. For some other areas, there is discretion over the level of fee or charge and indeed over the service.

Table 2 – Top Five General Fund Income Streams

Area	2022/23 Actual	2023/24 Forecast	2024/25 Budgeted
Planning Fees	£747,308	£750,000	£865,000
Refuse Collection and Disposal	£397,316	£424,000	£365,000
Rents (Log Cabins)	£289,235	£260,500	£222,214
Licensing	£231,380	£209,529	£219,000
Leisure Fees	£229,778	£158,570	£96,763

The latest publicly available data via CIPFA's [Financial Resilience Index](#) shows that South Derbyshire is considered 'Higher Risk' when the ratio of fee and charges income as a proportion of service expenditure is compared to that of other district councils.

Whilst this is likely a result of some chosen areas of service that remain free of charge (such as car parking and green waste), there is the need for the Council to ensure its income position is built on solid foundations in respect of cost recovery and Elected Member understanding.

The Council charges a proportion of its expenses to the Housing Revenue Account – a separate ringfenced account maintained for Council Housing – for services and supplies it consumes. The charge for 2024/25 is budgeted at £1.74 million.

Additionally, the Council has benefitted in recent years from high interest earned on its reserves which it has placed on short-term investments in line with the Treasury Management Strategy. Around £850,000 is forecast to be earned in 2024/25 on the General Fund.

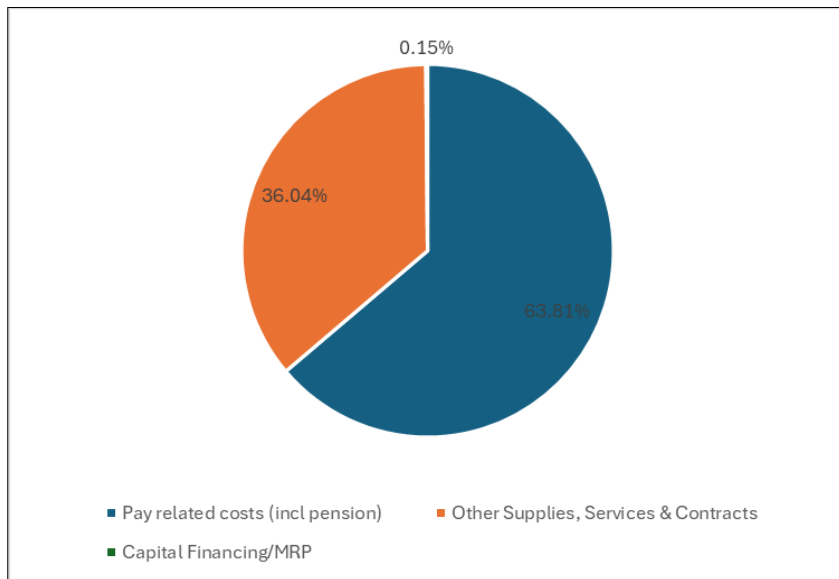
2.5 Council spending

In 2024/25, the Council is budgeted to spend £17.1 million on pay related costs. Pay related costs make up the largest area of spend (64%) for the Council. The spend includes all relevant on-costs such as national insurance, employers pension, the additional lump sum pension contributions that the Council is required to make to the Derbyshire Pension Fund and an allowance for an assumed pay award, which for 2024/25 is 3.5%.

The other biggest area of spend relates to supplies and services, which makes up 36%, which is £9.7 million for 2024/25. This is a broad category and covers a wide range of spend, much of which is contracted. Like pay costs, spend on supplies and services is subject to inflationary pressures.

Finally, capital financing is the revenue cost of borrowing and the Minimum Revenue Provision (MRP) that the Council is required to make under accounting regulations. For 2024/25 this amount is £40,000 but this will increase over the life of the Medium-Term financial plan as the Council has begun to take forward investment in existing and new assets financed through borrowing.

Chart 7 – Key Areas of Council Spend



2.6 Reserves and reserves level risk assessment

It is important that the Council has sufficient reserves and balances to enable it not only to maintain its financial standing but also to ensure that the Council can realise its service provision expectations.

The Council's unallocated general reserves is estimated to be £11.8 million by March 2025, which represents 67% of its net expenditure for the 2024/25 year.

Table 3 – Reserves Forecast

Type of Reserve	Opening Balance - April 2023	Estimated use of Reserves 2023/24	Estimated Balance March 2024	Estimated use of Reserves 2024/25	Estimated Balances March 2025
General Fund Unallocated Reserves	£15,222,148	£3,220,257	£12,001,891	£227,737	£11,774,154
Earmarked Reserves	£12,504,150	£241,741	£12,262,409	£3,245,651	£9,016,758
Total Useable Revenue Reserves	£27,726,298	£3,461,998	£24,264,300	£3,473,388	£20,790,912
Capital Reserves	£2,281,797	£1,244,362	£1,037,435	£274,928	£762,507
Capital Grants Unapplied	£1,449,529	£381,012	£1,068,517	£458,606	£609,911
Total Useable Capital Reserves	£3,731,326	£1,625,374	£2,105,952	£733,534	£1,372,418
Total General Fund Reserves	£31,457,624	£5,087,372	£26,370,252	£4,206,922	£22,163,330

In their [Financial Resilience Index](#), the Chartered Institute of Public Finance and Accountancy (CIPFA) categorise South Derbyshire as 'Lower Risk' in relation to 'Level of Reserves' indicator which is calculated as the current level of reserves to the Council's net revenue expenditure.

Further analysis from the Council's financial benchmarking provider [LG Improve](#) is shown below.

Chart 8 – General Fund Useable Revenue Reserves as a percentage of Spending: comparison to peers

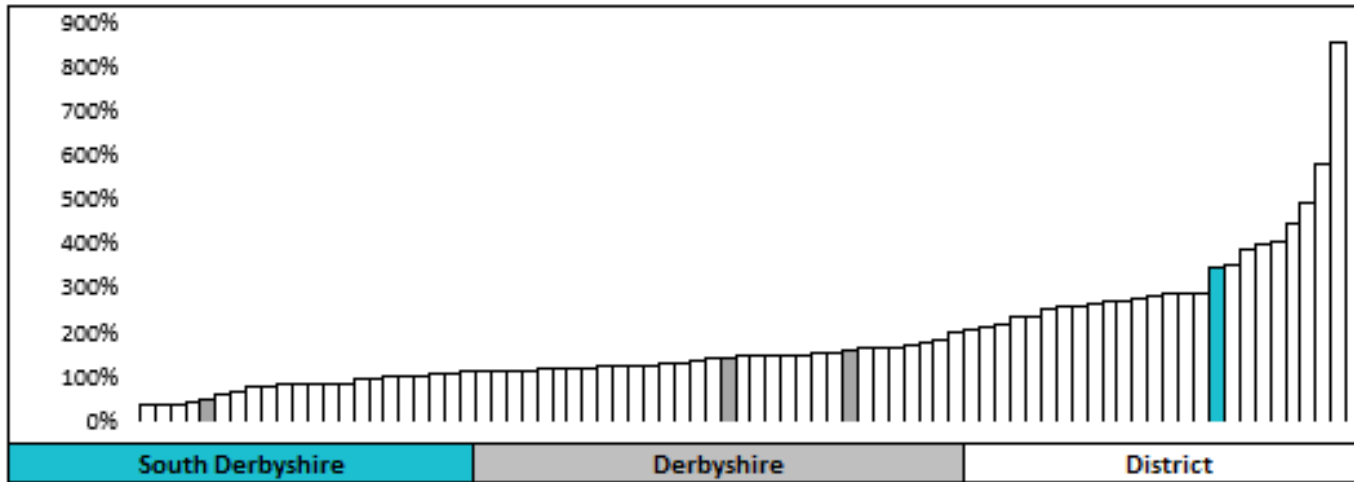
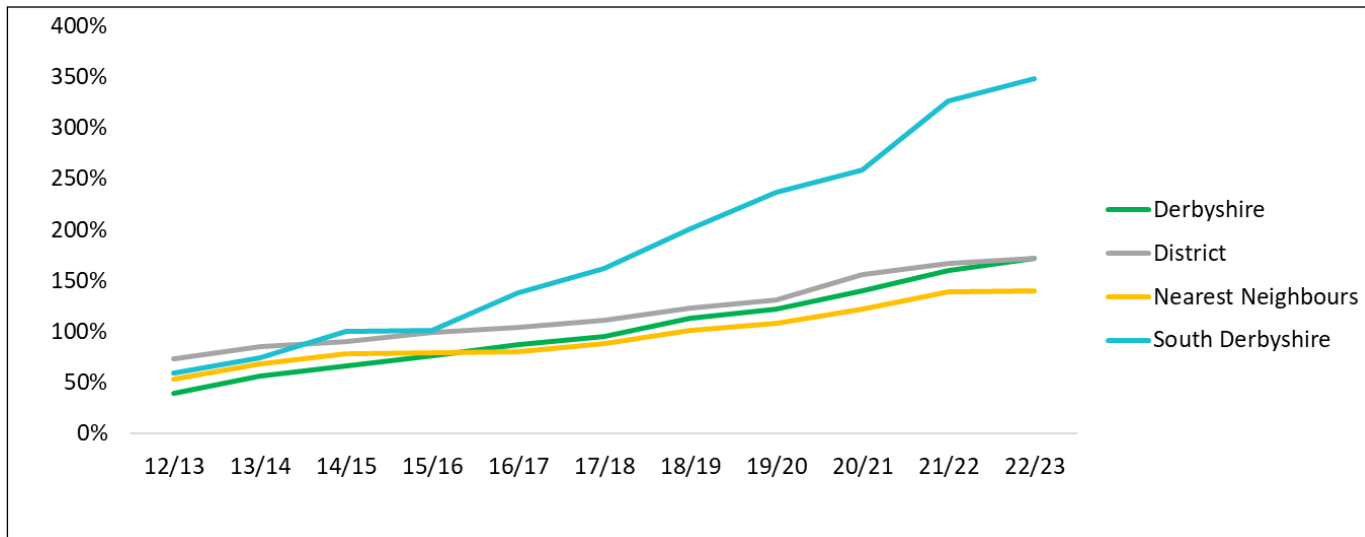


Chart 9 – General Fund Useable Revenue Reserves as a percentage of Net Revenue Expenditure



Assessing financial risk and determining an adequate reserves level

At its meeting on 28 February 2024, Council approved the minimum level for General Fund reserves in line with the risk assessment below which indicates that level should be £1.35 million as a requirement to fall back on, should all the potential risks happen concurrently and at their most extreme each year.

Table 4 - Risk Assessment for the General Fund Balance 2024/25

Risk	Likelihood	2024/25 Value <i>(based on in-year impact only)</i>
<p>Natural disasters and national emergencies</p> <p>The Bellwin Scheme provides financial assistance to local authorities in the event of a national emergency or disaster, subject to an authority contributing to the total costs by an amount equivalent of 0.2% of its approved budget. For this Authority this would require approximately £50k.</p> <p>Business Continuity - It is difficult to anticipate the cost of such an event that would affect the Authority's business continuity, although it is likely to be substantial. The Council's response to the pandemic has enabled the organisation to be fully agile and more able to respond to emergencies whilst maintaining service delivery. However, for illustrative purposes, £100k is assumed.</p>	<p>Low</p>	<p>£50,000</p>
<p>National Economic Issues</p> <p>As was evident through the COVID-19 pandemic and cost-of-living crises, Councils have been relied on to deliver financial assistance to businesses and residents. The New Burdens funding doctrine covers additional costs that the Council bears in delivering central government burdens.</p> <p>The Office for Budget Responsibility's forecast for inflation suggest that inflation will return to 2% by April 2025. However, in the meantime, additional pressures in relation to service demands are expected to continue to emerge.</p> <p>The Council has assessed potential impacts in this area around utilities, insurance impacts arising from property revaluations or price volatility and excess pay award above budgetary assumptions.</p> <p>In total, the Council could expect in the region of £300,000 - £500,000 of additional pressures in year.</p>	<p>High</p>	<p>£300,000 - £500,000</p>

<p>Grant Funding</p> <p>The Council sometimes seeks external funding/grants for one-off projects. If the expected projected outturns are not achieved, repayment of funding or grant may be required.</p>	<p>Low</p>	<p>£100,000</p>
<p>Property Assets</p> <p>The identification of unplanned major works to the Council's property portfolio could give rise to a budget pressure. As a responsible owner and with a duty to care, the Council could be expected to fund major works at short notice. Although the initial response would be to look to re-phase the capital programme, this may not be feasible, and additional revenue funding may be required, or prudential borrowing.</p>	<p>Medium</p>	<p>£100,000</p>
<p>Legal Issues</p> <p>It would be prudent for the Authority to make provision for an unfavourable outcome of any legal action taken against it, which could be made on a range of different grounds, including compensation payments, equal pay, discrimination, and corporate manslaughter.</p> <p>Where the Council provides a paid service to a third party that does not directly relate to any statutory duty, the Council may require Professional Indemnity Insurance. This insurance cover is not automatically arranged and if it isn't, and a claim arises the Council could be deemed liable for resulting costs.</p>	<p>Medium</p>	<p>£500,000</p>
<p>Total Financial Risk Exposure</p>		<p>£1,150,000 - £1,350,000</p>

2.7 Capital Strategy and Capital Programme

The Capital Programme sets out the capital plans for the next five years, covering the same timeframe as the medium-term financial plan to ensure all plans are co-ordinated. The programme is reviewed annually to ensure projects are still in line with outcomes, and that the programme is affordable.

The Capital Strategy details the priorities of the Council in terms of capital expenditure and provides a framework for the Council's capital plans to be agreed and delivered within. The Capital Strategy and supporting Capital Programme are approved each year in February by Council.

The revenue impact of capital, including financing, interest, Minimum Revenue Provision (MRP) and impacts to revenue expenditure and income because of capital spend are accounted for in the revenue budget and medium-term financial plan.

The total value of the Capital Programme for 2024/25 is £9.8 million, made up of £6.7 million on the General Fund and £3.1 million on the HRA. Over the five-year plan, the programme totals £34.6 million, with £14.8 million bring General Fun and the remaining £19.8 million relating to the HRA.

Several new schemes were approved as part of the 2024/25 budget that are financed through borrowing. This has represented a change in the Council's approach to investing in assets, in line with its budget approach, representing a prudent approach to ensuring services have the appropriate asset maintenance in place.

Section 3 - The Council's financial outlook

3.1 Forecast financial position 2024/25 – 2028/29

The Council's Medium-Term Financial Plan, aligned with the budget position for 2024/25, estimates a cumulative budget gap over the period of £14.5 million. The budgeted deficits that arise and widen year on year are largely because of the assumed withdrawal of and in the new homes bonus, the resetting of the Business Rates baseline and introduction of fair funding.

The General Fund Medium-Term Financial Plan is set out in Appendix 1.

Chart 10 below illustrates that over the life of the Plan, reserves would be depleted if action were not taken whilst Chart 11 sets out the forward forecast of funding assumed against the level of revenue spend.

Chart 10 – Budget Gap and Impact to Reserves

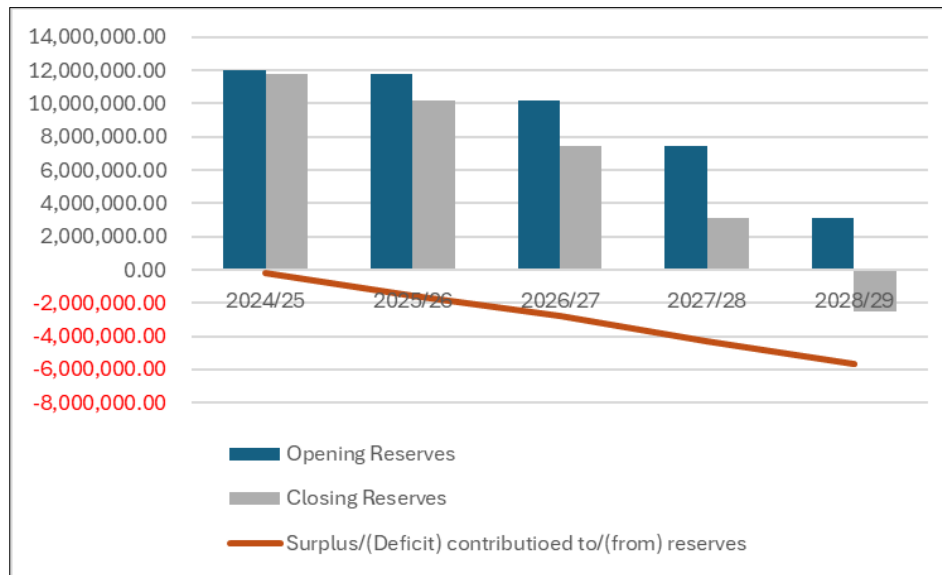
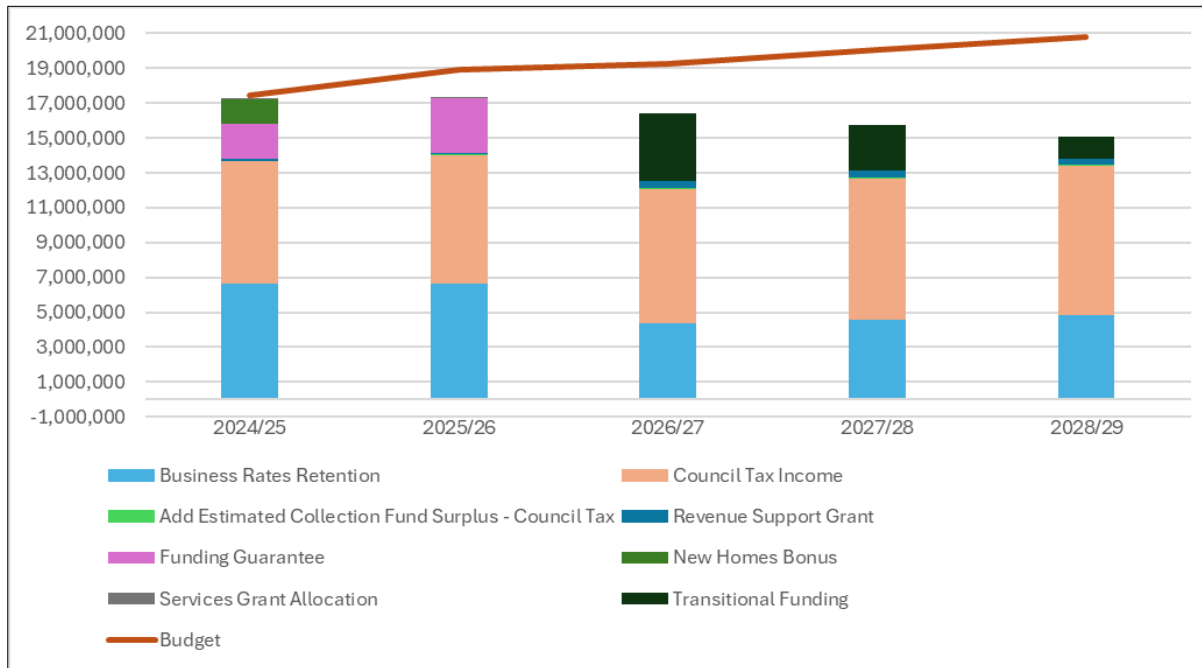


Chart 11 – Sources of Funding, Forward Forecast



3.2 Key Assumptions to forecasts

Key areas of funding, expenditure and income are continually assessed and reviewed to determine the most realistic future position.

Assumptions concerning funding have been carefully selected in consultation with the Council’s funding advisor Pixel Financial Management who also supply a financial forecasting model used to forecast a range of potential outcomes associated with potential funding reform scenarios.

For key areas of spend (supplies, services, contracts, utilities, fuel and insurance), inflation forecasts from the Office for Budget Responsibility's (OBR) latest economic report are used. For pay related costs, the assumed pay award is also based on the OBR’s inflationary forecast.

A list of all assumptions can be found in Appendix 2.

3.3 Scenario and Sensitivity Analysis

Scenario analysis allows for the best and worst-case scenarios for the Council to be determined. The chart below sets out the range of outcomes for the budget gap (shown as a negative figure), or surplus (shown as a positive) based on the assumptions being either more favourable or more adverse overall.

The 'No Funding Reform' scenario shows the position if the funding system was not reformed, and the local government finance system continued as it currently is (and arguably has done for several years). Whilst this is a highly unlikely scenario, it provides an additional illustration of the extent to which funding reform drives the Council's projected budgetary gaps.

Chart 12 – Comparison of Budget Gaps under different scenarios

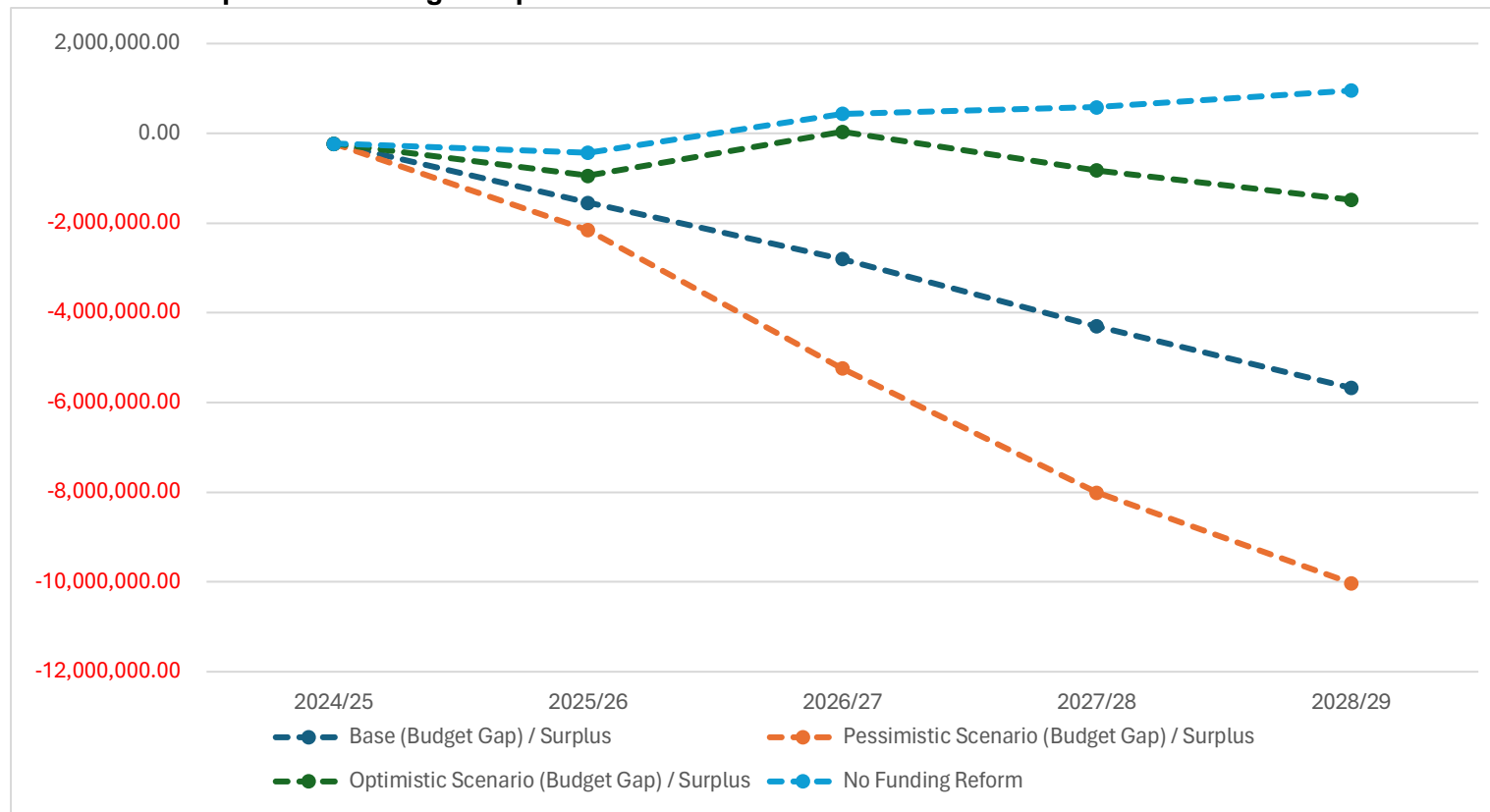
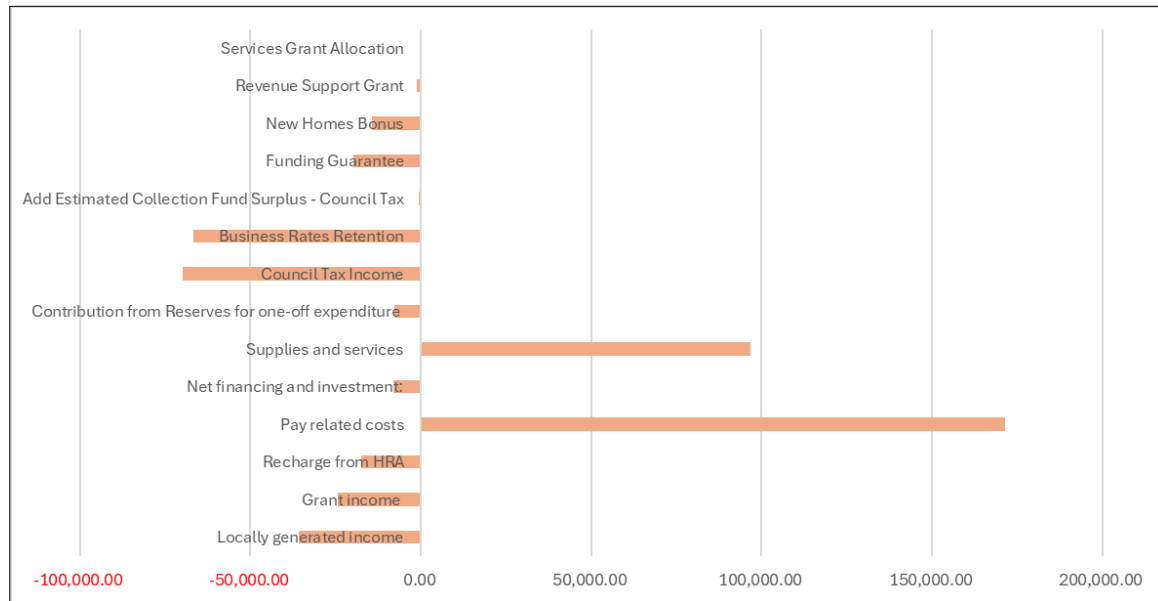


Table 5 - Comparison of Budget Gaps under different scenarios

	2024/25	2025/26	2026/27	2027/28	2028/29
	£'000	£'000	£'000	£'000	£'000
Base (Budget Gap) / Surplus	-228	-1549	-2799	-4298	-5674
Pessimistic Scenario (Budget Gap) / Surplus	-228	-2155	-5237	-8004	-10024
Optimistic Scenario (Budget Gap) / Surplus	-228	-946	35	-823	-1481
No Funding Reform	-228	-433	439	583	953

Since most of the future years' financial strategy and model is based on a series of assumptions, the further into the future projections run, the higher the risk that these assumptions are more volatile than anticipated. As such, a relatively small change in key underlying assumptions can produce a significant change in the forecast. The key sensitivities of the financial plan are set out in below, which shows the impact of a 1% change in assumptions, based on 2024/25 levels as a starting point.

Chart 13 – Annual impact of 1% change in key sensitivities



Section 4 - The Housing Revenue Account (HRA)

4.1 The 30-Year Housing Revenue Account Business Plan

The Housing Revenue Account is a 'ring fenced' account. As such, it cannot receive any financial assistance from the General Fund or the Council Taxpayer. It is essential, therefore, that the HRA can fully meet its statutory obligations and business plan ambitions from the housing stock and from other qualifying income, such as capital receipts arising from the sale of HRA assets.

At the time of writing this report, a review of the Housing Service is currently underway, with the findings of this due to be presented to the Housing and Community Services Committee in the coming months. One of the recommendations arising from this review will be the need for the service to refresh its 30-Year [Housing Revenue Account Business Plan](#), which was last produced in 2016. This long-term strategic plan will set how the Council will, for the next 30 years, continue to invest in its housing stock and meet the needs of present and future tenants.

Noting this position, this Medium-Term Financial Strategy does not set out the financial strategy for the HRA in full. This is because the HRA has other key economic, social and political drivers and a different operating context which should be considered in its own right. As such, the refreshed 30-year HRA Business Plan will review in detail the HRA financial position.

4.2 Forecast financial position 2024/25 – 2028/29

The revenue budget position for 2024/25 sets out the costs of delivering current levels of service within a rental income of £14.3 million, which includes a rent increase of 7.7%, the maximum level under the governments' social rent policy.

The position for 2024/25 is a balanced budget, with £1.2 million contributed from the reserves to balance a budget gap.

Over the five years from 2024/25 to 2028/29, the cumulative position on the HRA is an overall contribution to reserves (surplus) position of £1.07 million.

The HRA projections are set out at Appendix 3.

4.3 Key context and features of the HRA

There are a range of features of the HRA and economic and outlook conditions which are important, some of which are set out below.

- Rent Policy – The government has a history of intervening in rent policy. Many Council tenants who have a low household income will have their rent paid by Universal Credit and Housing Benefit, however this passes the burden on to the national welfare bill.

- Borrowing - The Housing Revenue Account (HRA) Subsidy System was replaced in April 2012 with a new regime of self-financing. Under the previous arrangements, councils had to pay an annual amount from tenants' rents into a national funding system. This reduced the council's ability to control and influence local spending resources available to them and impacted on investments to the housing stock. As part of the HRA self-financing process the Council took on a debt of £57.4 million and additional £1.3 million which was the total outstanding debt on the HRA at the time. Therefore, the opening self-financing debt level was £58.7 million as of April 2012. In return for taking on this debt, the Council is now able to keep its rental income in full and use it to fund housing stock and estate improvements, as well as providing opportunities to build new homes and regenerate outdated and unsustainable stock. As part of the Treasury Management Strategy 2024/25 approved at Council in February 2024, the Council decided it would no longer set aside revenue for the purposes of debt repayment and consider the refinancing of HRA self-financing loans.
- Impacts of inflation - Like the General Fund, the HRA is subject to volatility in respect of inflation but does have a greater ability to absorb the effects due to the rent formula (CPI + 1%) remaining at 1% above inflation.
- Energy costs – the HRA is vulnerable to volatility in heating and power costs within its sheltered accommodation and other accommodation that has communal areas. The ability for the HRA to recover these costs is limited because the Council does not currently charge separately for power or heating in the form of service charges or heating charges.
- Right-to-Buy sales – Several sales through Right to Buy (RTB) are taken forward each year. Whilst the Council does add to its stock, this has not kept pace with RTB sales and there is a net reduction which serves to reduce rental income over time.
- HRA Capital – The Council is currently commissioning a stock condition survey which will layout the amount of work required to keep the current stock up to standard.
- General Fund Recharges - Recharges between the General Fund and the HRA are undertaken on a proportionate and fair basis and in line with the services consumed.

As the Housing Service review concludes, a timetable for the refresh of the HRA Business Plan will be taken forward. This will outline the long-term future for a sustainable HRA.

Section 5 – Delivering a balanced budget.

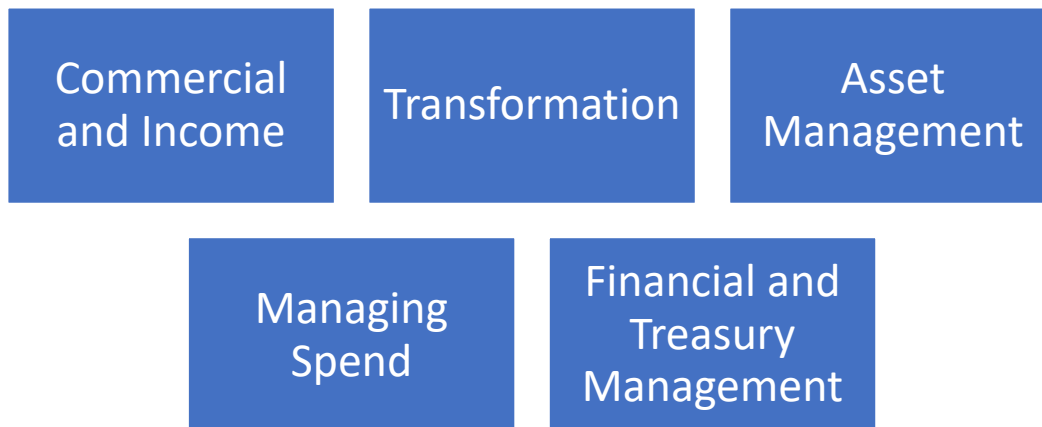
5.1 Sustainable Finance Plan

The Sustainable Finance Plan sets out how the Council will achieve savings over the life of the medium-term financial plan period. It will be a “living” document that will be reviewed and updated regularly.

The below themes set out how savings will be identified and delivered. Elected Members, the Leadership Team and Officers at Heads of Service level were engaged in identifying these themes as part of the development of this Plan.

There are five themes in total and each are set out below in detail.

Illustration 3 – Sustainable Finance Plan Themes



Each theme includes a target financial saving to be achieved over the life of this strategy. The value of these savings has been developed based on the budget position in 2024/25 and an assessment of realistic but challenging savings that can be achieved.

Sustainable Finance Plan Themes

Commercial and Income

Linked strategies – Commercial Strategy (including Corporate Charging Policy)

This theme is about maximising our revenue income generated through fees and charges, developing our commercial awareness and acumen, and ensuring our services achieve the most optimum commercial position.

As above, latest publicly available data shows that the Council is considered higher risk when the ratio of fee and charges income as a proportion of service expenditure is compared to that of other district councils. This position will be explored further through the Commercial and Income theme, through identification to delivery of enhancements to the Council's key strategic income maximisation opportunities.

It will be driven by the development of a Commercial Strategy which will support the delivery of the Council Plan 2024 – 2028 and forms a key element of this Medium-Term Financial Strategy. It will set out in detail how the Council will:

- Maximise existing income and generate new income streams – ensuring financial contribution meets the cost of service or contributes to fixed costs. Included will be a new Corporate Charging Policy to guide service areas effectively and practically in meeting this fundamental principle.
- Deliver commercial efficiencies and savings through developing a commercial culture where managers and staff are empowered to innovate, whilst being risk aware.
- Research, develop and implement business cases for viable commercial investment opportunities.
- Keep things simple, working to identify and overcome barriers to commercial opportunities.
- Ensure the Council has sufficient and appropriate arrangements for governance of commercial activities.

Additional income generated

Based on the CIPFA Financial Resilience Index, our fees, and charges to service expenditure ratio in 2021/22 was 18% against the maximum position of all districts of 57%. Comparison data for 2022/23 and beyond isn't available on the CIPFA index, however, we know that our position in the years since 2021/22 is as below.

There are two service areas that the Council doesn't charge for that comparators may – these are in relation to charges for the provision of green waste household collections and car parking.

Table 6 – Fees and Charges to Service Expenditure Ratio Analysis and Target Position

Year	Fees and charges to service expenditure ratio	Value of locally generated income
2022/23	16%	£3,387,532
2023/24	13%	£3,176,820
2024/25 (budgeted)	11%	£2,888,749
Target	20%	£5,252,270 (at 2024/25 value)

The proposed target position for this ratio is 20% by the end of the plan period. This would equate to an additional £2.4 million of income using the 2024/25 budgeted position.

To achieve this position, there is a target of an additional 2% income year on year, to ensure current income levels at least, match pace with pay and inflation – although it is anticipated that in some areas more income will be generated once the position around cost recovery is fully understood. Further targets for the enhancement and commercialisation of existing income the development and implementation of new income streams is then included which will take the Council to the 20% level by the end of the plan period.

Table 7 Commercial and Income

	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL
Maintenance of cost recovery on current income		90,000	100,000	110,000	120,000	420,000
Enhancement and commercialisation of existing income		200,000	225,000	250,000	275,000	950,000
Development and implementation of new income			1,400,000	1,400,000	1,900,000	4,700,000
TOTAL		290,000	1,725,000	1,760,000	2,295,000	6,070,000

Transformation

Linked strategies – Customer Access Strategy, People Strategy, Transformation Strategy

This theme is ultimately about reviewing and improving our services. We will do this by comparing ourselves to and learning from others, making best use of well-established tools in the local government sector around benchmarking, case studies, pilots, and peer reviews. We will explore and pursue the sharing of resources, assets, and delivery of services through identifying, forging new and enhancing existing strategic alignments with partners from both the public and private sector. This will include maximising relationships with stakeholders and partners to deliver on the Council's priorities.

A core focus of this theme will be the review of services to ensure the Council can deliver services within its financial means. Service reviews will initially focus on high financial and/or customer value services but once the strategy programme is embedded be part of a rolling programme. Benchmarking will be used to identify high spending services and customer feedback and benchmarking to identify those of high customer value.

Models of alternative delivery, including sharing resources, assets and jointly delivering services with other councils will be considered to identify financial savings but also improve resilience and services to customers. This theme will also link with the emerging People Strategy to capture any financial or efficiency savings delivered through the Council fulfilling its aspiration to become an employer of choice.

Finally, this theme will also capture the financial savings achieved through the deployment of new technology and artificial intelligence (AI). As such it will link closely with our emerging Transformation Strategy and the plans we are already scheduled to take forward around digital improvements.

Savings generated

Savings included in the plan are based on a conservative estimate around the savings attributable to supplies and services through sharing of resources. Since it is recognised that efficiencies in this are more likely to arise from staffing costs and there is an expectation that where this is the case, staffing resource will be redeployed to other areas.

Table 8 – Transformation

	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL
Total Savings		50,000	50,000	150,000	250,000	500,000

Asset Management

Linked strategies – Asset Management Strategy, Fleet Replacement Strategy, Climate and Environment Strategy

The Council is responsible for 110 assets on the General Fund, comprising Council offices, Green Bank Leisure Centre, Rosliston Forestry Centre, the Old Town Hall, the Depot, community centres, pavilions, public conveniences, parks, land, allotments, car parks, cemeteries and an investment portfolio of shops, offices, and industrial units. Including lettings at Rosliston Forestry Centre the General Fund investment portfolio generates current generates revenue more than £600,000 per annum.

This theme will focus on growing our existing investment portfolio as well as optimising asset performance to ensure that the costs associated with the running and maintenance of assets is as cost-effective as possible. The Council will also undertake a review of its asset base with a view to identifying opportunities for the Council to reduce ongoing liabilities through rationalisation or enhance its commercial income performance through optimising asset performance or acquiring new assets. Divestment may be considered where assets have significant current or future liabilities or where ownership fails to align with the Council's non-financial objectives.

Savings and additional investment portfolio income generated

Savings included in the plan are based on an early assessment of the likely increase in investment portfolio that can be achieved and the reduction in annual running costs by the Council deciding to create a new leisure centre and civic offices.

Table 9 – Asset Management

	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL
Total Savings			500,000	700,000	900,000	2,100,000

Managing spend

Linked strategies – Procurement Strategy (including Contract Management Guide)

The Council has a wide range of contracts in place for the delivery of equipment and services. In 2024/25, forecast spend on supplies and services is £9.7 million across the General Fund alone.

Several changes are due to take place in 2024 centred around procurement and contract management at the Council.

The first of these is linked to the new internal delivery model for procurement support at the Council. Following approval to add to the Council's staffing establishment, a new in-house Procurement Officer post will be created. This post will work alongside a newly procured shared service arrangement – to replace the current contractual arrangements which cease in April 2024 - to ensure the Council can effectively manage all its procurement and spend management needs.

The Procurement Strategy which will be updated to align procurement practices with the new Public Procurement Regulations which come into force for councils in October 2024. As part of this review, the Council will also review its procurement practices to realign its purchasing objectives with those of the new Council Plan. This will include how the Council will achieve social value, environmental improvements, and value for money across its contracts and every day spend. Of relevance will be the Council's ability to achieve better financial outcomes by using its commercial approach and enhancing its purchasing power by undertaking joint procurements.

The Procurement Strategy will also develop a set of principles to guide officers in effective contract management. This Contract Management Guide will set out the expectations of officers and managers in monitoring contract delivery and effectiveness and tackling poor performance.

As part of the annual review of the Constitution, the Council's Contract Procedure Rules will be updated to reflect modern ways of working. This will realise efficiencies in staff-time which will be redeployed into services.

Further work linked with this theme will focus on the roll out of training and awareness raising around modern, efficient, and effective procurement practices and contract management practices.

Savings generated

Savings included in the plan are based on a prudent estimate around the likely position achievable through renewed working practices in procurement and contract management that will ultimately result in savings.

Table 10 – Managing Spend

	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL
Total Savings		160,000	320,000	480,000	480,000	1,440,000

Financial and Treasury Management

Linked strategies – Medium Term Financial Strategy, Treasury Management Strategy, People Strategy

This theme will achieve financial savings through several measures that link with financial management practices.

The first is a general campaign to improve the internal financial management culture of the Council through training of leaders and managers to ensure we have the appropriate capabilities to understand and manage finance, understand the financial health of the Council and their role in this context. This work will also place responsibility for financial management at the appropriate level across the Council and will link with the refresh of the Council's Finance Procedure Rules within the Constitution. Whilst the Council has already adopted the CIPFA Financial Management Code (Appendix 4), further enhancements in line with the Code should be taken forward.

There will be a focus on the Council's Budget and Policy framework and its ability to achieve the optimum budget position for the Council. Work around this will include budget analysis and the delivery of ongoing continuous improvement to the Council's budgeting approach and techniques.

Key areas of spend will be reviewed. This will include a review of the model deployed for relieving double taxation for residents living in parished areas, which arises because of expenditure incurred by the District Council in the urban core (and which is delivered by the Parish Councils in parished areas).

This theme will also explore further opportunities to manage the Council's treasury position (debt and investments) to achieve more lower borrowing costs or better investment returns.

Savings and additional treasury management income generated

Savings included in the plan are based on budget analysis, a review of the current double taxation model ("Concurrent Functions Grants") and enhanced treasury management.

Table 11 – Financial and Treasury Management

	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL
Total Savings	40,000	160,000	260,000	260,000	260,000	980,000

The Sustainable Finance Plan

The below Sustainable Finance Plan sets out the savings of £11.09 million the Council expects to make over the coming five year period. The Plan compares to the cumulative forecast budget gap position of £14.5 million, meaning that this Plan meets most budget gaps but not all.

Table 12 - The Sustainable Finance Plan

	2024/25	2025/26	2026/27	2027/28	2028/29	Total
Commercial and Income		290,000	1,725,000	1,760,000	2,295,000	6,070,000
Transformation		50,000	50,000	150,000	250,000	500,000
Asset Management			500,000	700,000	900,000	2,100,000
Managing our spend		160,000	320,000	480,000	480,000	1,440,000
Financial and Treasury Management	40,000	160,000	260,000	260,000	260,000	980,000
Total	40,000	660,000	2,855,000	3,350,000	4,185,000	11,090,000

5.2 Reserves Strategy

The Council has established its minimum level of reserves at £1.35 million for 2024/25. Given the reserves position forecast at the end of March 2025, there is £10.4 million of general reserves forecast to be available to support the Council's financial position. To ensure appropriate visibility over this reserve, it will be set aside in a newly established "Sustainable Finance" reserve.

This Sustainable Finance reserve will be utilised to balance any budget deficits from 2025/26 where the effect of the Sustainable Finance Plan doesn't close budget gaps in full. The dedicated reserve also presents the Council with an opportunity to utilise them to finance projects or initiatives that will generate additional income or reduce expenditure under the themes set out in this Strategy.

The Section 151 Officer will maintain overall responsibility for this reserve and its use for the financing of projects and initiatives will require approval of the Section 151 Officer and be subject to the normal decision-making process of the Council, in line with the Scheme of Delegation set out in the Constitution.

5.3 Medium Term Financial Strategy position

Bringing the position of the current Medium-Term financial plan, the Sustainable Finance Plan, and the reserve strategy together, the overall revised position is detailed below, and the Council can expect to balance its budget over the medium term. This position is contingent on the Sustainable Finance Plan savings of £11.09 million being delivered over the period and the balance of the Sustainable Finance Reserve.

If the forecasts crystallise, the charge would be circa £7 million available for the Council to consider making use of to deliver its plans.

In addition, to illustrate how the Council's sustainability plan serves to close the budget gap over time the assumptions have been extrapolated over the next 10 years. As the trends in growth and income generation are projected over 10 years the budget gap diminishes over time - such that by 2031/32 annual spend is managed within the projected funding with surplus balances achieved and reserves replenished.

Table 13 – General Fund position after Sustainable Finance Plan

	2024/25	2025/26	2026/27	2027/28	2028/29	Total
Revenue Surplus (-) / Deficit as per Medium Term Financial Plan 2024/25 - 2028/29	227,737	1,549,207	2,799,395	4,297,825	5,674,352	14,548,516
Total Sustainable Finance Plan savings / additional income	-40,000	-660,000	-2,855,000	-3,350,000	-4,185,000	-11,090,000
Remaining Surplus (-) / Deficit to be met from Reserves	187,737	889,207	-55,605	947,825	1,489,352	3,458,516

Table 14 – Use of reserves to balance the General Fund

	2024/25	2025/26	2026/27	2027/28	2028/29
Opening Sustainable Finance Reserve		10,424,154	9,534,947	9,590,552	8,642,727
Contribution from reserves to balance the General Fund	n/a	889,207		947,825	1,489,352
Contribution from the General Fund to reserves			- 55,605		
Closing Sustainable Finance Reserve	10,424,154	9,534,947	9,590,552	8,642,727	7,153,375

* The budget gap predicted for 2024/25 is already included in the reserves forecast

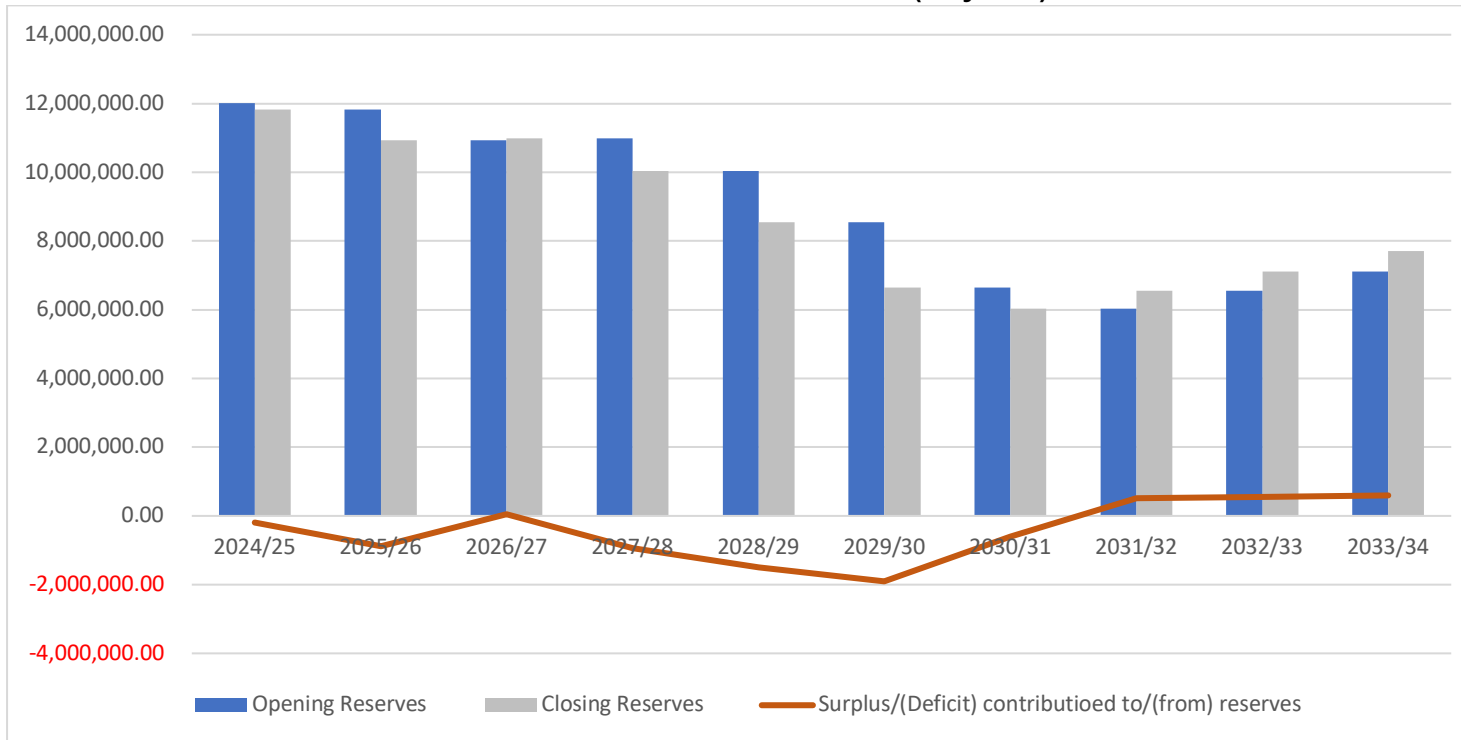
Chart 14 – General Fund Position after Sustainable Finance Plan



Table 15 – General Fund position after Sustainable Finance Plan (10 years)

	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
Revenue Surplus (-) / Deficit per MTFP	227,737	1,549,207	2,799,395	4,297,825	5,674,352	7,146,520	6,925,643	6,899,370	6,865,575	6,823,857
Total Sustainable Finance Plan	-40,000	-660,000	-2,855,000	-3,350,000	-4,185,000	-5,241,975	-6,320,090	-7,419,766	-7,419,766	-7,419,766
Surplus (-) / Deficit to be met from Reserves	187,737	889,207	-55,605	947,825	1,489,352	1,904,545	605,553	-520,396	-554,191	-595,909

Chart 15 – General Fund Position after Sustainable Finance Plan (10 years)



Section 6 – Delivery, Monitoring and Review

The Plan will be reviewed as part of setting the forthcoming year's budget and refined as necessary.

As detailed above, the Sustainable Finance Plan will be a 'living document' that is rebased at the beginning of each financial year to look five years ahead, and to consider any changes in the assumed level of savings that are deliverable over the period. This practice will continue for the period of this Medium-Term Financial Strategy, and beyond should the Council not be in a position where its annual net expenditure is within its funding envelope.

Each theme will be sponsored by a member of the Leadership Team, who will lead the Council in the delivery of savings in their area. The Chief Executive will retain overall accountability.

Each theme lead will facilitate the design and implementation of initiatives, working with officers and Elected Members to undertake necessary options appraisals and bring forward individual decisions, in line with the Council's established decision-making processes as set out in the Constitution.

Financial planning is a continuous process and the need for constant monitoring of our current and future financial position is heightened now more than ever before because of the risks associated with the uncertain economic conditions and outlook in respect of local government funding.

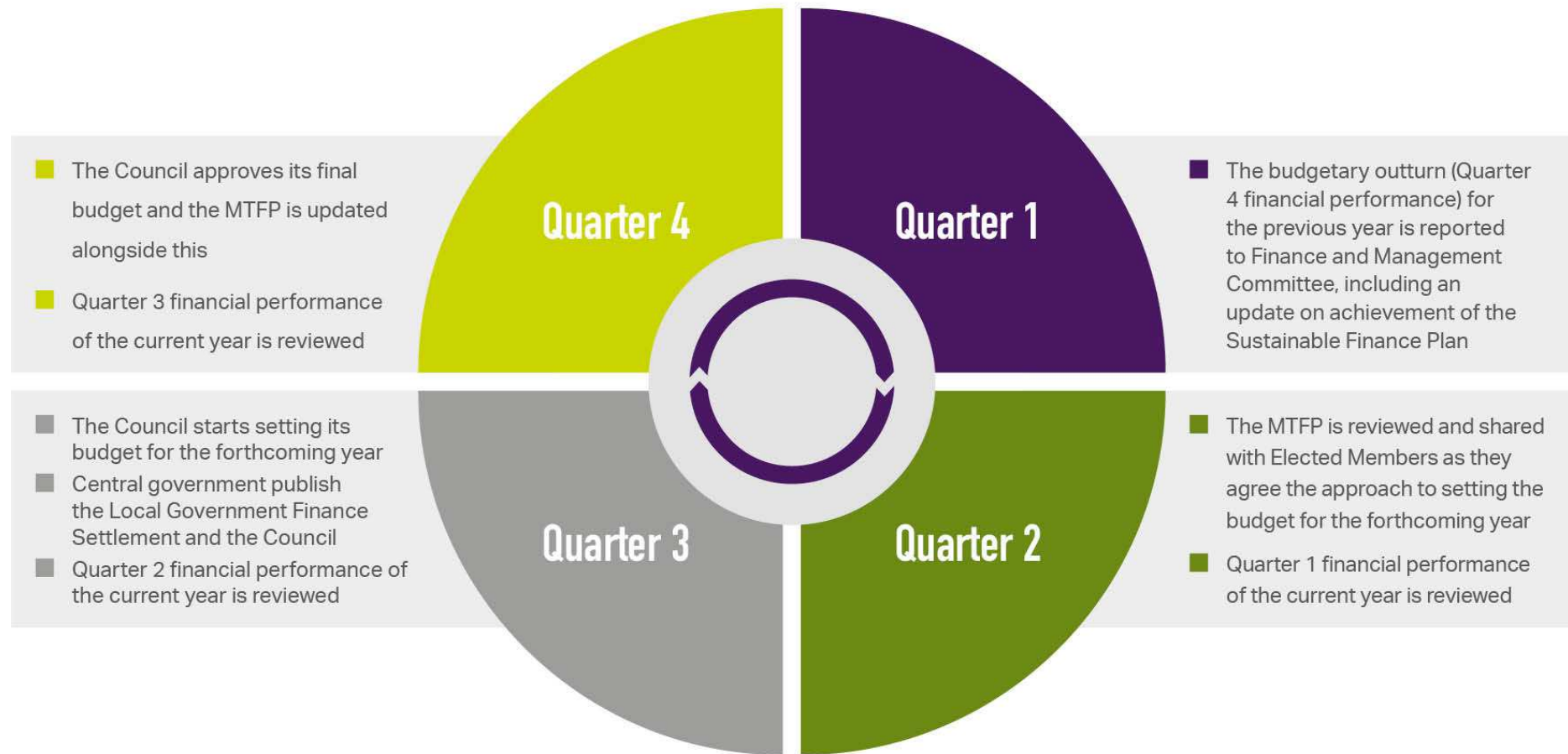
There are already well-established processes monitoring budgets which include regular monitoring and outturn reports to Committee. This regular reporting will be extended to report on the progress of savings delivery in the Sustainable Finance Plan.

The Section 151 Officer will retain ownership of the Sustainable Finance Plan, facilitating updates as part of the medium-term financial plan process.

An updated rolling five-year medium term financial plan and the refreshed Sustainable Finance Plan for making forthcoming savings will be presented to members annually alongside the forthcoming years' draft budget for approval and again at the final budget stage.

The below sets out the financial management cycle for the Council.

Illustration 3 – the Council’s Financial Management Cycle



The Council will review its Medium-Term Financial Strategy every 4 to 5 years

GENERAL FUND MEDIUM TERM FINANCIAL PLAN

Budget Setting 2024/25

	Projection £ 2024.25	Projection £ 2025.26	Projection £ 2026.27	Projection £ 2027.28	Projection £ 2028.29
BASE BUDGET					
Environmental & Development	8,607,637	8,866,950	8,958,851	9,289,114	9,649,140
Housing & Community	4,006,223	3,761,714	3,564,494	3,627,984	3,725,630
Finance & Management	7,236,282	7,839,603	8,070,160	8,302,519	8,536,985
Net Service Expenditure	19,850,141	20,468,267	20,593,506	21,219,616	21,911,755
Accounting Adjustments					
Reverse out Depreciation	-1,633,229	-1,633,229	-1,633,229	-1,633,229	-1,633,229
Contribution from Reserves for one-off expenditure	-784,892				
Minimum Revenue Provision (MRP)	40,000	42,000	44,000	46,000	48,000
Additional MRP for Capital bids		14,000	222,000	423,000	453,000
	-2,378,121	-1,577,229	-1,367,229	-1,164,229	-1,132,229
TOTAL ESTIMATED SPENDING	17,472,021	18,891,038	19,226,277	20,055,388	20,779,526

FINANCING

Business Rates Retention	-6,668,000	-6,673,299	-4,347,720	-4,591,156	-4,849,541
Services Grant Allocation	-16,061	-85,176	0	0	0
Funding Guarantee	-1,978,784	-3,101,732			
New Homes Bonus	-1,441,000	0	0	0	0
Council Tax Income	-6,980,186	-7,311,082	-7,710,229	-8,104,811	-8,535,372
Revenue Support Grant	-105,252	-115,542	-445,780	-410,502	-372,272
Transitional Funding			-3,868,154	-2,596,093	-1,292,989
Add Estimated Collection Fund Surplus - Council Tax	-55,000	-55,000	-55,000	-55,000	-55,000

TOTAL FINANCING

-17,244,283	-17,341,831	-16,426,883	-15,757,562	-15,105,174
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Revenue Surplus (-) / Deficit

227,737	1,549,207	2,799,395	4,297,825	5,674,352
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TOTAL GENERAL FUND SURPLUS (-) / DEFICIT

227,737	1,549,207	2,799,395	4,297,825	5,674,352
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GENERAL FUND RESERVE BALANCE

Balance b/fwd	-12,001,891	-11,774,154	-10,224,947	-7,425,552	-3,127,727
Revenue Surplus (-) / Deficit	227,737	1,549,207	2,799,395	4,297,825	5,674,352
Capital Contributions	0	0	0	0	0
Balance c/fwd	-11,774,154	-10,224,947	-7,425,552	-3,127,727	2,546,625

Assumptions to the General Fund Medium Term Financial Plan (Base)

Item	2024/25 Assumption	Future Years Assumptions	
Pay costs	3.5%	2% per annum.	
Employer pension costs	£174,000 additional employer contribution, as per the 2022 triennial valuation report	£174,000 for 2025/26 as per triennial valuation. 2026/27 and beyond assumes the same level.	
Members allowances	3.5%	2%	
Supplies and services	As per cost pressures outlined in the 2024/25 budget	2%	
Insurance		3%	
Capital financing/MRP		This is now aligned with the Capital Programme 2024/25 – 2028/29 and includes MRP on fleet.	
Fuel		2%	
Utilities		2%	
Recharge income from the HRA		Movement is in line with overall movement in the General Fund	
Council Tax		2.99% increase and Council Tax base as approved by FMC 11 January 2024	2.99% Council Tax increase and growth rate of 2.6%
Retained Business Rates		Based on the NNDR1 position for 2024/25. Also includes a prudent estimate for the retained rates arising from participation in the Derbyshire Business Rates Pool.	As per separate detailed technical computations in line with the national rates system, as advised by the Council's funding advisor and their strategic financial modelling tool.
New Homes Bonus	As per the Local Government Finance Settlement 2024/25.	Scheme is abolished from 2025.	
Services Grant		Nil	
Revenue Support Grant		Nil	
Lower Tier Services Grant	Nil	Nil	
Funding Guarantee	As per the provisional Local Government Finance Settlement 2024/25.	Nil	
Contribution from reserves	As required to balance the budget	As required to balance the budget	
Locally generated income	As per budgetary proposals for 2024/25 and fees and charges.	3% for cemeteries. No other assumed increases. This is an area subject to further review and links with the emerging MTFS.	

Damping (transitional funding)	Nil	Transitional funding to ease in the effect of the Fair Funding review and business rates baseline reset, assumed to be implemented in 2026/27. The payments are triggered when there is a change in core spending power (funding) of more than 5% between any year.
Interest Receivable	4% Interest rate assumed based on treasury advisors Arlingclose's strategy review.	2% in line with Office for Budget Responsibility forecasts for inflation and interest post April 2025.

HOUSING REVENUE ACCOUNT FINANCIAL PROJECTION - 2024/25

	2024.25	2025.26	2026.27	2027.28	2028.29	2029.30	2030.31	2031.32	2032.33	2033.34
	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000

INCOME

Rental Income	-14,026	-14,304	-14,589	-14,880	-15,176	-15,479	-15,787	-16,102	-16,423	-16,751
Non-Dwelling Income	-106	-108	-112	-115	-118	-121	-125	-128	-132	-136
Supporting People Grant	0	0	0	0	0	0	0	0	0	0
Other Income	-185	-185	-185	-185	-185	-185	-185	-185	-185	-185
Total Income	-14,317	-14,597	-14,886	-15,180	-15,479	-15,785	-16,097	-16,415	-16,740	-17,072

EXPENDITURE

General Management	2,676	2,737	2,799	2,863	2,928	2,995	3,063	3,133	3,204	3,278
Supporting People	1,194	1,232	1,273	1,315	1,361	1,408	1,459	1,512	1,568	1,628
Responsive	2,711	1,986	2,034	2,083	2,133	2,185	2,239	2,294	2,350	2,408
Planned Maintenance	2,352	2,153	2,205	2,259	2,315	2,371	2,429	2,489	2,550	2,612
Bad Debt Provision	131	143	145	148	151	154	157	161	164	167
Interest Payable & Receivable	802	802	802	501	501	502	502	502	172	172
Depreciation	5,156	5,157	5,157	5,158	5,159	5,160	5,161	5,161	5,162	5,163
Net Operating Income	705	-387	-471	-853	-931	-1,010	-1,087	-1,163	-1,570	-1,644

Known variations:

Reversal of Depreciation	-5,156	-5,157	-5,157	-5,158	-5,159	-5,160	-5,161	-5,161	-5,162	-5,163
Capital Expenditure	2,820	3,200	3,550	3,900	4,000	2,489	2,403	1,805	2,301	1,627
Disabled Adaptations	300	300	300	300	300	300	300	300	300	300
Asbestos and Health & Safety Surveys	100	100	100	100	100	100	100	100	100	100
Debt Repayment - Balance of Depreciation	1,436	1,057	707	358	259	1,771	1,858	2,456	1,961	2,636
Major Repairs Reserve	500	500	500	500	500	500	500	500	500	500
Asset Replacement Earmarked Reserve	0	0	0	54	57	60	63	66	69	73

HOUSING REVENUE ACCOUNT FINANCIAL PROJECTION - 2024/25

	2024.25	2025.26	2026.27	2027.28	2028.29	2029.30	2030.31	2031.32	2032.33	2033.34
	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Additional Debt Repayment Transfer	455	0	100	0	0	0	0	0	0	0
Capital works non-traditional properties	0	0	0	0	0	0	0	0	0	0
Options Appraisal Smallthorne Place	0	0	0	0	0	0	0	0	0	1
Potential Pay Award	0	0	0	0	0	0	0	0	0	0
ICT Upgrades	0	0	0	0	200	0	0	0	0	0
Rent Loss Provision	0	0	0	0	0	0	0	0	0	0
Pension Valuation 2023/24	0	0	0	0	0	0	0	0	0	0
Increase in Electricity Tarrif	0	0	0	0	0	0	0	0	0	0
HRA Surplus (-) / Deficit	1,160	-387	-371	-799	-674	-950	-1,024	-1,097	-1,501	-1,570

HRA General Reserve

HRA Reserve B/fwd	-2,254	-1,093	-1,480	-1,851	-2,650	-3,323	-4,274	-5,298	-6,396	-7,897
(Surplus) / Deficit for year	1,160	-387	-371	-799	-674	-950	-1,024	-1,097	-1,501	-1,570
HRA Reserve C/fwd	-1,093	-1,480	-1,851	-2,650	-3,323	-4,274	-5,298	-6,396	-7,897	-9,467

RESERVES**Debt Repayment Reserve**

Balance B/fwd	-354	-2,245	-3,302	-4,109	-4,467	-4,726	-6,497	-8,355	-811	-2,772
Depreciation balance	-1,436	-1,057	-707	-358	-259	-1,771	-1,858	-2,456	-1,961	-2,636
Transfers to reserve	-455	0	-100	0	0	0	0	0	0	0
Repayment of loan	0	0	0	0	0	0	0	10,000	0	0
Reserve C/fwd	-2,245	-3,302	-4,109	-4,467	-4,726	-6,497	-8,355	-811	-2,772	-5,408

Earmarked Reserve

Balance B/fwd	-200	-200	-200	0	0	0	0	0	0	0
Vehicle Replacement Transfer to Reserve	0	0	0	0	0	0	0	0	0	0
Software Upgrade	0	0	0	0	0	0	0	0	0	0
Asset Replacement	0	0	200	0	0	0	0	0	0	0
Reserve C/fwd	-200	-200	0	0	0	0	0	0	0	0

HOUSING REVENUE ACCOUNT FINANCIAL PROJECTION - 2024/25

	2024.25	2025.26	2026.27	2027.28	2028.29	2029.30	2030.31	2031.32	2032.33	2033.34
	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000

Major Repairs Reserve

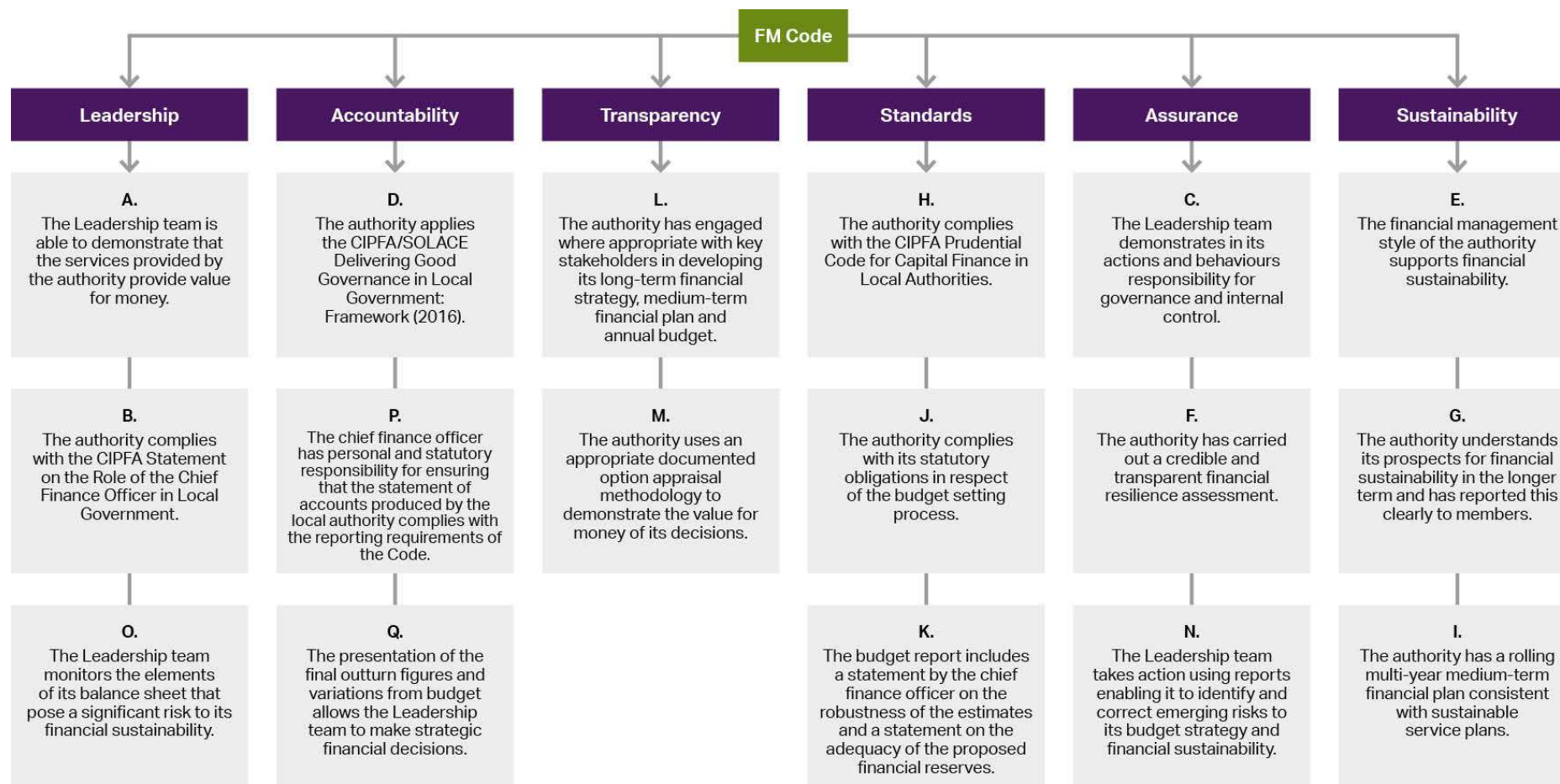
Balance B/fwd	-4,987	-5,487	-5,987	-6,487	-6,987	-7,487	-7,987	-8,487	-8,987	-9,487
Transfers to reserve	-500	-500	-500	-500	-500	-500	-500	-500	-500	-500
Earmarked non-traditional properties	0	0	0	0	0	0	0	0	0	0
Reserve Drawdown	0	0	0	0	0	0	0	0	0	0
Reserve C/fwd	-5,487	-5,987	-6,487	-6,987	-7,487	-7,987	-8,487	-8,987	-9,487	-9,987

New Build Reserve

Capital Receipts B/fwd	-2,884	-3,496	-4,108	-4,719	-5,331	-5,943	-6,554	-7,166	-7,777	-8,389
Acquisitions in year	0	0	0	0	0	0	0	0	0	0
RTB Receipts in year	-612	-612	-612	-612	-612	-612	-612	-612	-612	-612
Borrowing in year	0	0	0	0	0	0	0	0	0	0
Balance c/fwd	-3,496	-4,108	-4,719	-5,331	-5,943	-6,554	-7,166	-7,777	-8,389	-9,001

CIPFA Financial Management Code

Principle



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ਜੇ ਤੁਹਾਨੂੰ ਇਹ ਦਸਤਾਵੇਜ਼ ਕਿਸੇ ਦੂਸਰੀ ਭਾਸ਼ਾ ਵਿਚ ਚਾਹੀਦਾ ਹੈ, ਜਾਂ ਕਿਸੇ ਦੁਭਾਸ਼ੀਏ ਦੀਆਂ ਸੇਵਾਵਾਂ ਦੀ ਲੋੜ ਹੈ ਤਾਂ ਸਾਡੇ ਨਾਲ ਸੰਪਰਕ ਕਰਨ ਦੀ ਕ੍ਰਿਪਾ ਕਰੋ ਜੀ ਇਹ ਜਾਣਕਾਰੀ ਮੰਗ ਕਰਨ ਤੇ ਵੱਡੇ ਅੱਖਰਾਂ, ਬ੍ਰੇਅਲ ਜਾਂ ਆਡਿਉ ਦੇ ਰੂਪ ਵਿਚ ਵੀ ਉਪਲੱਬਧ ਕਰਵਾਈ ਜਾ ਸਕਦੀ ਹੈ।

اگر آپ یہ ڈاکیومنٹ کسی اور زبان میں چاہتے ہوں، یا اگر آپ کو کسی ترجمان کی خدمات درکار ہوں، تو براہ کرم ہم سے رابطہ کریں۔ درخواست کرنے پر یہ معلومات بڑے پرنٹ، بریل یا آڈیو فارمیٹ میں بھی دستیاب ہیں۔



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REPORT TO:	COUNCIL	AGENDA ITEM:10
DATE OF MEETING:	11 APRIL 2024	CATEGORY: RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	MIKE ROYLANCE (01283 595725) mike.roylance@southderbyshire.gov.uk	DOC:
SUBJECT:	DERBY AND DERBYSHIRE STRATEGIC LEADERSHIP BOARD	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 Members approve the establishment of the Derby & Derbyshire Strategic Leadership Board as a Joint Committee of the Council.
- 1.2 Members approve that none of the Council's functions are delegated to this Joint Committee.
- 1.3 Members note the Terms of Reference, Functions and Responsibilities, Procedural Rules and Information Procedure Rules for the Strategic Leadership Board as set out at Appendix 3.
- 1.4 Members appoint the Leader of the Council as the Council's representative on the Derby & Derbyshire Strategic Leadership Board and the Deputy Leader of the Council as a Substitute.
- 1.5 Members note the intention that the Derby & Derbyshire Strategic Leadership Board be the body for the nomination of District and Borough representatives to the East Midlands Combined County Authority, when established.
- 1.6 Members note that Derbyshire County Council will act as the host authority for the Joint Committee.
- 1.7 Members note the dissolution of the Derby & Derbyshire Joint Committee for Economic Prosperity.
- 1.8 Members note the transfer of the remaining funds and responsibilities for the Business Rate Retention pooled funds currently held by the Derby & Derbyshire Joint Committee for Economic Prosperity to the Derby & Derbyshire Strategic Leadership Board.

- 1.9 Members note the dissolution of the Vision Derbyshire Joint Committee.
- 1.10 Members note the dissolution of the Derbyshire Economic Partnership and note that the Council's existing financial contribution to that body will cease.
- 1.11 Members approve the Council's active participation in the Derby & Derbyshire Strategic Leadership Board together with an annual contribution of £15,000.

2.0 Purpose of Report

- 2.1 Attached at Appendix A is a report prepared by Derbyshire County Council which is being considered by local authorities in Derbyshire. Members are asked to consider this and to decide if they wish to resolve to participate in a new Derby and Derbyshire Strategic Leadership Board (D2 SLB). Appendix A also includes a short guide to the new Board and its Draft Terms of Reference provided by Derbyshire County Council.
- 2.2 It is understood that all other District Councils in Derbyshire have considered the report and have agreed to participate in the new Board.

3.0 Detail

- 3.1 Partnership structures in Derbyshire are undergoing a process of rationalisation to reduce overlap and costs, and prepare for the establishment of the East Midlands County Combined Authority (EMCCA). The following structures are in the process of being dissolved:
- Derbyshire Economic Partnership.
 - Derby & Derbyshire Joint Committee for Economic Prosperity.
 - Vision Derbyshire Joint Committee (SDDC is not a member of this).
- 3.2 A new Derby & Derbyshire Strategic Leadership Board is proposed as a single framework for discussion and decision making, with all local authorities in Derby and Derbyshire invited to participate.
- 3.3 The role of the new Board will be, "to collaborate, co-ordinate and drive forward agendas where it is recognised that more can be achieved by councils working together to improve outcomes for people and places across Derbyshire."
- 3.4 The new Board will be a Joint Committee with the following purpose:
- Provide collective strategic leadership for local government in Derby and Derbyshire.
 - Drive forward shared ambition and collective priorities for local government across Derby and Derbyshire.
 - Improve joint working across local government in Derby and Derbyshire.
 - Form a collective view on matters impacting Derby and Derbyshire.
 - Enable agile, timely and effective decision making.

3.5 The new Board’s remit will include ‘place’, regeneration, broader economic development, business and skills, and transport, together with wider agendas including climate and the environment, and health and wellbeing.

4.0 Financial Implications

4.1 It is proposed that Derbyshire County Council will act as the host authority for the new Board and provide the necessary executive support for its administration.

4.2 A Programme Team will be created consisting of five new posts (4.5 FTEs), whilst 2 FTEs currently working for the Derbyshire Economic Partnership will also be transferred. Postholders will be permanent employees of Derbyshire County Council.

4.3 The operating costs of the new Board in 2024/25 will be funded as follows:

Derby & Derbyshire Strategic Leadership Board Funding	£
Derbyshire County Council Funding (40%)	174,883
Derbyshire Economic Partnership Funding	138,142
Business Rate Pool Contribution	109,108
Total	422,133

4.4 Each District Council contributes £15,000 annually towards the cost of the Derbyshire Economic Partnership staff and a small programme fund and it is proposed to transfer this funding to the new Board.

4.5 As such, there are no additional financial implications for District Councils in the first year of the new Board (2024/25) and there are no proposed changes to this level of contribution for future years.

4.6 For 2025/26 and beyond, any further use of the remaining pool monies is subject to a separate decision. However, it is anticipated that future funding will flow from the new East Midlands Combined County Authority, given that the Board will act as the lead forum for collaborative activity between councils on County Combined Authority matters around investment and growth.

4.7 The new Board would take responsibility for the remaining Business Rates Retention Pilot pooled funding, with over £700,000 of the original £7.3 million remaining uncommitted.

5.0 Corporate Implications

Legal Implications

5.1 The new Board will be constituted as a ‘Joint Committee’. This means that, the Council will need to establish it as a new joint committee and the Constitution will be amended to reflect this.

- 5.2 The recommendation is that no functions are delegated to the new Board as the County Council has Economic Development functions which it has delegated to the new Board and therefore no additional District functions require delegation.
- 5.3 The Council can delegate functions to the new Board at a later date.
- 5.4 Derbyshire County Council propose that membership and participation be open to all Derby and Derbyshire Councils, including by Councils which choose not to confer responsibilities in the way that is envisaged and who instead choose to retain full, separate local control.
- 5.5 The draft articles, functions and procedure rules for the new Board are attached at Appendix 3.
- 5.6 It is noted in the Articles that:
- Councils may choose to appoint members to the D2 SLB while not delegating decision-making responsibilities for functions. However, all participating authorities, whether or not agreeing to delegate functions, will be required to contribute towards the costs of funding the D2 SLB.*
- 5.7 Membership of the new Board will comprise Councillors from participating Councils who will each be enabled to appoint one Elected Member and one substitute. While the new Board is envisaged as making decisions on the basis of consensus, formally, in order to reserve the decision-making rights of authorities delegating functions, it is proposed that voting will be restricted to those representatives who are from authorities which have delegated functions to the Committee.
- 5.8 The Derby & Derbyshire Joint Committee for Economic Prosperity will continue to exist until the new Board is formalised.

Council Plan Implications

- 5.9 The proposed Derby & Derbyshire Strategic Leadership Board could have a broad remit contributing to numerous aspects of the Council Plan's vision to 'work together to shape our environment, drive our economy and support our communities'.

Risk Impact

- 5.10 There may be drawbacks to not being part of a potentially key decision making body for the County, including influencing policy making and the distribution of funding.

6.0 Community Implications

Consultation

6.1 Derbyshire County Council has consulted with potential participant local authorities.

Equality and Diversity Impact

6.2 There are no equality and diversity impacts at this time.

Social Value Impact

6.3 There are no social value impacts at this time.

Environmental Sustainability

6.4 There are no environmental sustainability impacts at this time.

7.0 Conclusions

7.1 If Members are minded to proceed, the Derby & Derbyshire Strategic Leadership Board will aim to enhance joint working on economic development and a range of other matters at a county level.

7.2 It is suggested that the new Board will act as the platform through which to:

- collectively discuss, agree and align Derby and Derbyshire councils' positions on East Midlands County Combined Authority business.
- agree and then feed in Derbyshire's perspective and collective priorities via its representatives on the East Midlands County Combined Authority Board.
- exercise all functions that the East Midlands County Combined Authority is granting.

7.3 Additionally, the new Board is envisaged as providing a potentially appropriate mechanism for agreeing formal nominations for district and borough representation on the proposed East Midlands County Combined Authority.

8.0 Background Papers

None

Appendix A Derbyshire County Council – Cabinet Report 22 February 2024 – Derby & Derbyshire Strategic Leadership Board

Appendix 1: Implications

Appendix 2: Proposed single framework for the D2 Strategic Leadership Board

Appendix 3: Draft articles, functions and procedures rules for the proposed Derby & Derbyshire Strategic Leadership Board Joint Committee

Appendix 4: A short guide to the Derby & Derbyshire Strategic Leadership Board

FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

22 February 2024

Report of the Managing Director

Derby and Derbyshire Strategic Leadership Board
(Strategic Leadership, Culture, Tourism and Climate Change)

1. Divisions Affected

1.1 County-wide

2. Key Decision

2.1 This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising two or more electoral areas in the County.

3. Purpose

3.1 To provide Cabinet with an update on work taking place with Derby and Derbyshire Councils on a revised approach to collaborative and partnership working.

3.2 To seek approval from Cabinet for the Council to establish and participate in a new Joint Committee of Derby and Derbyshire's councils, the D2 Strategic Leadership Board, to collaborate, co-ordinate and drive forward agendas where it is recognised that more can be achieved by councils working together to improve outcomes for people and places across Derbyshire.

4. Information and Analysis

- 4.1 As work progresses towards the establishment of a proposed new East Midlands Mayoral Combined County Authority (EMCCA), which will bring new opportunities to improve outcomes for people and places throughout Derby and Derbyshire, it is important to ensure that Derby and Derbyshire Councils strategic approach to collaborative and partnership working continues, has the flexibility to evolve to meet changing circumstances and is fit for purpose in managing the interface with this new authority, which will have key responsibilities for major investment strategies and programmes for the East Midlands region.
- 4.2 All Derby and Derbyshire's councils will have a stake in these agendas and there is recognition that shaping these effectively will be made more successful by doing so together.
- 4.3 As well as dovetailing with the new regional Combined County Authority, it is recognised that any new county wide governance needs to build on the collaborative working which has been maturing through existing partnership approaches embodied by the Economic Prosperity and Vision Derbyshire joint committees. It is important that the positives of current ways of working are carried forward and that all councils feel they have a full say in decisions as well as safeguards to protect their interests.
- 4.4 Notwithstanding this, there have been ongoing concerns about a proliferation of partnership arrangements with similar or overlapping remits that have led to calls for their rationalisation to clarify roles and reduce the bureaucratic burden on all authorities moving forward.
- 4.5 The case for a new single leadership board comprising all Derby and Derbyshire's councils, working collectively to tackle the county's challenges and speaking with a collective voice, has been further strengthened by the challenging financial circumstances that many local authorities up and down the country are facing, together with the ever pressing need to collaborate, to create new ways of working, and to be more cost effective in delivering services for places, residents and business.

Reviewing current D2 strategic governance arrangements

Vision Derbyshire

- 4.6 In 2019, Derbyshire Councils came together to explore a future collaborative approach to partnership working in Derbyshire, shaping a shared, ambitious leadership vision focused on achieving the greatest public value for local people and communities.

- 4.7 This approach, Vision Derbyshire, has involved a significant investment of time, hard work and goodwill from participating councils, including Leaders and Officers.
- 4.8 It is now over four years since work on Vision Derbyshire commenced. There have been a number of significant achievements during this time, in particular driving forward the Vision Derbyshire Business Development programme, the development of the Vision Derbyshire Climate Change Strategy and supplementary Planning Policy Guidance and the creation of the Vision Derbyshire Joint Committee.
- 4.9 A light touch review of Vision Derbyshire was undertaken by East Midlands Councils in early 2023, tasked with gathering local councils' views on the current arrangements, challenges and opportunities and ambitions for the future.
- 4.10 A report submitted to the Vision Derbyshire Joint Committee on 28 July 2023 outlined the review's key findings:
- Vision Derbyshire has supported a collegiate, shared understanding of the common challenges facing councils across the county and how collectively these challenges may be addressed;
 - Vision Derbyshire provided a helpful platform upon which Derbyshire Councils were able to develop and deliver elements of their collective programme response to the Covid-19 pandemic;
 - The fulcrum for activity has likely accelerated the delivery of joint programmes and has been of benefit to wider work in Derbyshire;
 - However, only a limited number of councils are full contributory members;
 - The absence of some councils inhibits the ability of Vision Derbyshire to be an authoritative and representative partnership of all councils;
 - Nevertheless, there is a potential appetite and opportunity to move forward.
- 4.11 In particular:
- a) There is an appetite for refreshed, collaborative activity between councils in Derbyshire, particularly on matters relating to the Combined County Authority.
 - b) There is an appetite to see existing partnership and governance arrangements in Derbyshire simplified and rationalised with a single Derbyshire-wide partnership vehicle comprising all Derbyshire councils.

- c) There is recognition that a future partnership approach should specifically align with the proposals for the East Midlands Mayoral Combined County Authority to enhance collective influence.
- d) There is a desire to discuss and share best practice in service delivery – while recognising that any shared services and/or procurement initiatives are best progressed by arrangements involving relevant councils.
- e) There is a consensus that to support a fresh approach, the ‘Vision Derbyshire’ brand should be ‘retired’ as partners move to a fresh collaborative arrangement.

4.12 The report’s findings were welcomed by members of the Vision Derbyshire Joint Committee, in particular the clear recognition Council’s collaborative objectives remain relevant and worthy and that the approach has helped to lock together county, district and borough relationships.

D2 Joint Committee for Economic Prosperity (D2 EPC)

4.13 In November 2013 the Council approved the establishment, with Derby City Council and all District and Borough Councils in Derbyshire, of a Joint Committee to deliver economic growth and prosperity across the geographical county of Derbyshire.

4.14 The D2 EPC’s purpose was to act as the local public-sector decision-making body for strategic economic development at the D2 level and to oversee the planning, alignment, development, and delivery of investment related to economic growth and prosperity for the area, utilising funding from Government, the D2LEP and EU.

4.15 The Joint Committee also maintained and supported ongoing dialogue with key strategic partners, relevant bodies whose work impacts of the area, including the D2 business community.

4.16 Key achievements and successes have included: establishment of a D2 investment pipeline; leadership of economic recovery from the COVID pandemic, targeted work on key sectors such as the rural economy and low carbon transport; support to businesses and inward investment activity; development of growth, skills and employment and transport strategies; delivery of regeneration programmes such as town deals; and management of the retained business rates pool. The development of strategic approaches in response to Government initiatives such as the Freeport and HS2 have also occurred through D2 EPC.

4.17 During the course of 2023 the Committee agreed that a governance review be undertaken in which the work, purpose and terms of reference of the existing Boards was evaluated:

- The D2 Joint Committee for Economic Prosperity (D2 EPC)
- The Derbyshire Economic Recovery Board (DERB)
- The Derbyshire Economic Partnership (DEP)

4.18 While the review floated the idea of bringing together the EPC, DERB and DEP within what, at that stage, was to be called the D2 Growth Board - with a Business advisory board potentially envisaged as sitting alongside – it was recognised that there needed to be a single decision-making arena that included all Leaders.

Future strategic governance arrangements for Derby and Derbyshire: The Strategic Leadership Board

4.19 Bringing together and informed by the above reviews, the D2 Strategic Leadership Board (D2 SLB) is proposed as the successor to the two existing joint committees, Vision Derbyshire and Economic Prosperity, promising a streamlined, refreshed and fully inclusive approach to collaborative working across existing and new partnership activity.

4.20 The D2 SLB is proposed to be established as a joint committee, offering a single framework for discussion and decision making across agendas incorporating the remits of the Vision Derbyshire Joint Committee and the D2 Economic Prosperity Committee.

4.21 The proposed structure for the new D2 SLB can be found at **Appendix 2**. The draft Terms of Reference, including the Articles, Procedure Rules and Access to Information Procedure Rules are attached at **Appendix 3**. A short Guide to the D2 SLB is at **Appendix 4** and provides a simple, accessible description of the D2 SLB's ambition and functions, and how it will work in practice.

4.22 This new Joint Committee would bring together Derby and Derbyshire's ten councils to:

- Provide collective leadership for Derby and Derbyshire, allowing our authorities to speak with a single, shared voice on matters of common interest at the county, regional and national level;
- Collaborate as partners to develop joined-up approaches to the complex, connected and challenging agendas where our councils share common interests; and

- Progress shared ambitions for the people and places of Derbyshire, making decisions together to improve services and co-ordinate resources better and more sustainably.
- 4.23 All local authorities within Derby and Derbyshire would be invited to join D2 SLB as constituent members and to play a full part in co-ordinating and driving agendas where it is recognised and agreed that more can be achieved for all our localities, and for Derby and Derbyshire as a whole, by our councils working together.
- 4.24 Accordingly, D2 SLB's remit would include 'place', regeneration, broader economic development, business and skills, and transport, and wider agendas including climate and the environment, and health and wellbeing.
- 4.25 The Board, on behalf of the participating authorities, would be empowered to discuss and collectively agree actions for improving the delivery of functions already within the remit of local authorities to improve the economic, environmental or social wellbeing of the areas within Derbyshire.
- 4.26 The Board would also provide an opportunity to explore rationalisation and alignment of existing partnership structures and approaches, which will be essential given limited capacity and expertise and reducing public sector resources.
- 4.27 In this context, it would be for the Board to establish any sub committees it chooses to in order to provide support to the Board's work programme and for the Board to determine the membership of these sub committees. Any such sub committees would report into the full Board.
- 4.28 From a legal perspective, the Strategic Leadership Board would be constituted as a 'Joint Committee'. This means that, with decision making powers delegated to it by its constituent member councils, the Board would be empowered to jointly discharge and to exercise functions on their behalf within its agreed remit. (A Joint Committee is one comprising two or more councils established for the joint discharge of any functions of those councils in accordance with the Local Government Act 1972, s101.)
- 4.29 All local authorities would be encouraged to delegate functions to enable D2 SLB to act as the responsible decision-making body for those functions that participating councils confer upon it and to ensure full collaboration across the range of proposed activities that would form

D2 SLB's agenda. The ambition is that through councils' active commitment and participation the Board will mature into a truly authoritative, representative and collaborative partnership of all Derby and Derbyshire councils – while duly acknowledging the sovereignty of participating councils and recognising that each would have separate as well as shared interests in partnership working.

- 4.30 It is proposed that membership and participation be open to all Derby and Derbyshire's councils, including by councils who choose not to confer responsibilities in the way that is envisaged and who instead choose to retain full, separate local control.

Relationship to the proposed EMCCA

- 4.31 Once the East Midlands Combined County Authority is established it is vital that D2 councils come together to manage their interface with this new authority, which will lead the development and delivery of key expenditure programmes all of which will bring benefits to Derby and Derbyshire, including a Devolution Investment Fund ('Gainshare'), the Adult Education Budget and a consolidated transport budget.
- 4.32 All Derby and Derbyshire's councils will have a stake in these agendas and successfully influencing and shaping the CCA's thinking, planning and decision making on local investment priorities is likely to be optimised by doing so together.
- 4.33 It is therefore suggested that the D2 Strategic Leadership Board in the future, will act as the platform in which to:
- Collectively discuss and seek agreement and alignment of Derby and Derbyshire councils' positions on EMCCA business where there are shared interests;
 - Provide a sounding board for Derby and Derbyshire's representatives on the CCA Board to seek advice and equip themselves with an understanding of councils' individual and collective views and priorities related to EMCCA business;
 - Advise and assist EMCCA with the development of its strategy and with implementation of programmes as invited to do so.
- 4.34 Additionally, the Board is envisaged as providing a potentially appropriate mechanism for agreeing formal nominations for district and borough representation on the proposed EMCCA. Under the proposal to establish the EMCCA, Derbyshire's District and Borough Councils collectively are expected to have two seats on the CCA board, with the City and County each having two seats by virtue of being Constituent Member Authorities. It is expected that the D2 Strategic

Leadership Board will be designated by the EMCCA in due course as the formal nominating body for appointments from non-constituent members to the CCA board. The specific process for nominations will need to be developed and agreed by the EMCCA and is therefore subject to further approvals. However, assuming this is agreeable, it will be for districts and borough to determine their two nominations via the D2 SLB. These non-constituent members will sit on the EMCCA board as representatives of all Districts and Boroughs in Derbyshire and not solely of the District or Borough for which they are a Councillor.

- 4.35 If the D2 SLB consents to the designation as a nominating body, the terms of reference of the D2 SLB will need to be amended to include the function of nominating non-constituent representatives to the proposed EMCCA and other associated committee/advisory group representatives as and when requested.

Terms of Reference for the SLB

- 4.36 The draft articles, functions and procedure rules for the proposed D2 SLB Joint Committee are attached at **Appendix 3**, for consideration and agreement by Cabinet as they include proposed delegations from Councils. These provide a framework for the Joint Committee to operate as the future joint decision-making body for matters where Derby and Derbyshire Councils will work collaboratively.
- 4.37 These terms of reference are draft and need to be considered by each of the respective Councils before they can be ratified by the D2 SLB when it convenes.
- 4.38 The articles set out the main aims of the D2 SLB, which will:
- Provide collective strategic leadership for local government in Derby and Derbyshire;
 - Drive forward shared ambition and collective priorities for local government across Derby and Derbyshire;
 - Improve joint working across local government in Derby and Derbyshire;
 - Form a collective view on matters impacting Derby and Derbyshire;
 - Ensure the proposed EMCCA is aware of Derby and Derbyshire's collective views and interests and exercise functions if designated as a 'nominating body' by the Combined County Authority, once established;
 - Enable improved agility, timeliness and effectiveness in decision making.

- 4.39 As the Board's role develops, consideration will be given to the Joint Committee taking on additional responsibilities as these emerge and develop. This will be subject to further approval by the Council to delegate those additional functions to the Joint Committee.
- 4.40 Membership of the Board will comprise councillors from participating councils who will each be enabled to appoint one Elected Member and one substitute. While the Board is envisaged as making decisions on the basis of consensus, formally, in order to reserve the decision-making rights of authorities delegating functions, it is proposed that voting will be restricted to those representatives who are from authorities which have delegated functions to the Committee.
- 4.41 Given the role the Council has played in the D2 EPC and developing and reviewing the Vision Derbyshire approach it is recommended that the authority delegate functions to the Joint Committee as set out in this report to enable it to be formed, agreeing the draft governance arrangements as set out in the Terms of Reference **Appendix 3**.
- 4.42 It is recommended that Cabinet agree that Derbyshire County Council will act as the Strategic Leadership Board host authority. It is also recommended that the Leader, Cllr Barry Lewis, be nominated to represent the County Council on the Joint Committee once it is formed and Cllr Simon Spencer, be nominated as substitute.
- 4.43 The full legal implications for the establishment of the SLB can be found at Section 2.1 of Appendix 1, and, while it is assumed that Council representation on the Board will be undertaken by the Leader, it is recommended that Cabinet note the Council's position regarding the co-option of members onto the Board and that the Council's existing scrutiny arrangements can review or scrutinise decisions made in connection with the exercise of the functions of the Board.

Host Authority and accountable body

- 4.44 The Joint Committee is not a legal entity in its own right and therefore to establish and operate the Joint Committee, a host organisation will be required. The host authority will be responsible for the administration of meetings of the Joint Committee, hold funding on behalf of the Joint Committee and act as the employing authority for the purposes of executive team supporting the Committee (the Programme Team). The host authority's Statutory Officers will act as the Statutory Officers for the Joint Committee.
- 4.45 It is proposed that the County Council should act as the Host authority for the Joint Committee and provide the necessary executive support for

its administration. The County Council was the Host Authority for the D2 EPC and Vision Derbyshire Joint Committee and therefore has sufficient capacity to assume this role.

Winding up the D2 Joint Committee for Economic Prosperity

- 4.46 On 14 December 2023 members of the D2 EPC approved to dissolution of the Joint Committee, for the purposes of establishing the D2 Strategic Leadership Board, to be ratified by constituent member councils.
- 4.47 The D2 EPC has had responsibility for managing the Retained Business Rate pool and resourced a range of successful projects (including capital grant and feasibility schemes, business start-up support and the youth hubs). Following the dissolution of the D2 EPC, £734,449 remains and there are no current commitments for spend. It was agreed in principle this remaining sum be delegated to the Strategic Leadership Board. It would be for D2 SLB to determine how spend against the remainder sum be allocated to projects and proposals that support economic growth and/or help sustain or increase the generation of business rates in the D2 geography, in line with Government's original criteria for the retained funding.
- 4.48 Cabinet is asked to note the dissolution of the D2 Joint Committee for Economic prosperity and Vision Derbyshire and recommend to Council that the Constitution should be amended accordingly.

Winding up the Vision Derbyshire Joint Committee

- 4.49 On 14 December 2023 members of the Vision Derbyshire Joint Committee approved the dissolution of the Committee, for the purposes of establishing the D2 Strategic Leadership Board, to be noted by constituent member councils.
- 4.50 As at the time of the dissolution of this Committee no commitments to the Vision Derbyshire budget were made. There are no outstanding financial liabilities and therefore constituent Councils exiting the arrangement have not needed to pay any outstanding amount to cover a share of their liability. Surplus outstanding funding paid by the constituent authorities will be returned to the constituent authorities on the basis from which they paid in. This is [insert amount] for the Council.
- 4.51 Cabinet is asked to note the dissolution of the Vision Derbyshire Joint Committee and recommend to Council to amend the Council's constitution to remove reference to the Committee and its terms of reference accordingly.

The delivery programme and resource for the D2 SLB

- 4.52 There is agreement across Councils that capacity and capability, through the establishment of a programme team, is needed to support the Board. The Programme Team would be responsible for:
- Overseeing and managing the approach – including servicing meetings/committees;
 - Working with thematic delivery leads to identify, develop, and deliver programmes and projects across the Boards collectively agreed priorities;
 - Shaping the future programme and support align with the proposed EMCCA, if it is established, to optimise benefits for Derbyshire.
- 4.53 As the host authority, Derbyshire County Council will be responsible for the establishment of the team, the implications for which can be found at Section 3 of **Appendix 1**. The team will be comprised of a number of permanent Programme Team posts, to be agreed by the D2 Strategic Leadership Board when it convenes and on the commitment of the programme budget.
- 4.54 The D2 Strategic Leadership Board, once established will direct the work of the programme team and a number of current funding streams have been identified to support this work, previously attributed to the Vision Derbyshire programme, the D2 EPC and the Derbyshire Economic Partnership. This is outlined in the table below.

Strategic Leadership Board Funding	£'s
County Council Funding	175,000
Derbyshire Economic Partnership Funding	135,000
Business Rate Pool Contribution	115,000
Total	425,000

- 4.55 The proposals require no immediate additional funding commitments from the Council and can be funded through budgets already committed to the Vision Derbyshire programme in the 2023/23 and 2024/25 period. This proposal will ensure that funding is in place until March 2025.
- 4.56 The current Business Rates Pool stands at £734,449 and how the Board is funded beyond the 2024/25 period, will be a decision to be taken by the Board at an appropriate time.
- 4.57 It is recommended that Cabinet notes and agrees to the associated costs of the D2 Strategic Leadership Board as set out in this report, the maximum cost of which currently stands at £174,883 per annum.

Next Steps – Taking Forward Proposals

- 4.58 All Derby and Derbyshire Councils are now being asked to agree to join and participate in the D2 Strategic Leadership Board.
- 4.59 Wider engagement with Leadership Teams within participating Councils, both at an Elected Member and Senior Management level, are recognised as being vital to secure shared commitment, including Q&A sessions with Members and development of an accessible ‘short guide to the D2 SLB’. It will be important to ensure that the Council is engaged in development of the Board’s work programme over the coming months to maximise the collaborative benefits for this authority, local people and communities in Derbyshire.
- 4.60 Identifying the key actions which the Council will need to undertake, and the resources and capacity required to participate fully in both the development and future implementation of collaborative working will also be important.

5. Consultation

- 5.1 Not applicable.

6. Alternative Options Considered

- 6.1 Existing Joint Committees having been dissolved, the Council could take the option to not create a successor committee. There would still however, need to be an alternative vehicle to make nominations to the CCA when established.
- 6.2 Existing Joint Committees having been dissolved, the Council could take the option to not participate in the D2 SLB once established. This is not desirable as this report has indicated that the D2 SLB is a merger of two successful Joint Committees to support effective and efficient decision making. There is also significant interest in continuing to work collaboratively with Derby and Derbyshire Councils to work collectively in partnership to tackle the county’s challenges and speak as a collective where possible.

7. Implications

- 7.1 **Appendix 1** sets out the relevant implications considered in the preparation of the report.

8. Background Papers

8.1 Vision Derbyshire Phase Four Cabinet Report – 9 September 2021

9. Appendices

9.1 Appendix 1 – Implications

9.2 Appendix 2 – Proposed single framework for the D2 Strategic Leadership Board

9.2 Appendix 3 – Draft articles, functions and procedure rules for the proposed D2 SLB Joint Committee

9.3 Appendix 4 – A short guide to the D2 SLB

10. Recommendations

That Cabinet:

- a) Approves proposals for the establishment of the D2 Strategic Leadership Board and delegates functions to this Joint Committee as set out in the Functions and Responsibilities document in Appendix 3.
- b) Approves the Terms of Reference, including the Introduction and Context, Functions and Responsibilities, Procedural Rules and Information Procedure Rules for the D2 Strategic Leadership Board as set out at Appendix 3 and the position detailed in those documents regarding scrutiny and co-option.
- c) Appoints the Leader, Cllr Barry Lewis, as the Council's representative on the D2 Strategic Leadership Board and the Deputy Leader, Cllr Simon Spencer, as substitute.
- d) Notes the intention that the D2 Strategic Leadership Board be the body for the nomination of district and Borough representatives to the East Midlands Combined County Authority, when established, further noting that this is subject to the CCA's agreement to designate the D2 Strategic Leadership Board as a nominating body.
- e) Agrees that the County Council will act as the host authority for the Joint Committee.
- f) Notes the dissolution of the D2 Joint Committee for Economic Prosperity, the enactment of which is subject to the establishment of the D2 Strategic Leadership Board, and recommends to Council that the Constitution is amended accordingly.
- g) Notes the dissolution of the Vision Derbyshire Joint Committee, the enactment of which is subject to the establishment of the D2 Strategic Leadership Board, and recommends to Council that the Constitution is amended accordingly.

- h) Approves the Council's membership of the D2 Strategic Leadership Board and the associated costs of taking forward the programme of work, the maximum cost of which currently stands at £156,324 per annum.
- i) Notes that the functions of the Committee are executive functions, and therefore, Derbyshire County Council will not have the opportunity to co-opt additional members onto the Committee and the ability to co-opt is restricted within the Terms of Reference.
- j) Notes that, in accordance with section 9F of the Local Government Act 2000, constituent authorities who operate executive arrangements will need to make formal scrutiny arrangements to review or scrutinise decisions made in connection with the exercise of the functions of the D2 Strategic Leadership Board, and that the Council's existing scrutiny arrangements will apply.

11. Reasons for Recommendations

- 11.1 To establish the D2 Strategic Leadership Board with robust governance arrangements in place and secure the Council's future involvement and participation in new governance arrangements as they develop and emerge.
- 11.2 To enable Cabinet to commit the financial resources required to support the D2 Strategic Leadership Board and work activity.
- 11.3 To enable the Council to participate fully in all decision making and programme activity that will take place under the remit of the proposed D2 Strategic Leadership Board.
- 11.4 To ensure the Council has appropriate lead Elected Member representation on the proposed D2 Strategic Leadership Board.

12. Is it necessary to waive the call in period?

- 12.1 No

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Implications

Financial

- 1.1 Following the dissolution of the D2 EPC, the £734,449 remains from Retained Business Rates fund, and responsibility for overseeing the remainder of the spend, be transferred to the new D2 Strategic Leadership Board. Spend against the RRB will need to be aligned to projects and proposals that support economic growth and/ or help sustain or increase the generation of business rates in the D2 geography, in line with Government’s original criteria for the retained funding.
- 1.2 The dissolution of the Vision Derbyshire Joint Committee has resulted in the return of £174,350 funding to the Council of unallocated spend based on the Councils pervious budget commitment in the 2022/23 period.
- 1.3 The costs and contributions associated with meeting the required budget for the D2 SLB programme team outlined in is outlined below.
- 1.4 Detailed costs for the Council to support current proposals are set out below, which can be met from the Strategy and Policy budget the budget already committed to the Vision Derbyshire approach in the 2023/23 and 2024/25 period.

D2 SLB Funding 24/25

Funded by

Costs	Grade	FTE	Core DDC Budget (£)	Business Rates Pool (£)	DEP Funding (£)
Programme Team	12	1	62,106		
	9	2.5	112,777		
	6	1		34,108	
Programme Budget				50,000	
Team Budget				15,000	
Communications				10,000	
DEP Team					108,142
DEP Project funds	11	2			30,000
		Total (£)	174,883	109,108	138,142

- 1.5 In its role as host authority, the Council is likely to incur costs relating to the operation of the Joint Committee. These will be met from the Programme Budget.

- 1.6 Where an authority determines through its own governance arrangements that it no longer wishes to be a member of the Joint Committee, that authority may cease its membership with effect from the date of its decision. However, authorities will remain liable for any previously agreed financial contributions to fund the D2 Strategic Leadership Board until the end of the financial year for which those contributions have been agreed regardless of any decision to cease membership.
- 1.7 Where long-term liabilities, such as any Pension Fund shortfall, exists they will be calculated at the point membership ceases and any council exiting the arrangement will pay the host authority an amount to cover their share of that liability.

Legal

- 2.1 Section 101(5) of the Local Government Act 1972 (LGA 1972) permits councils to make arrangements for two or more authorities to discharge any of their functions jointly, and arrange for the discharge of those functions by a Joint Committee.
- 2.2 Under s102 LGA 1972 two or more local authorities may appoint a joint committee of those authorities for the purpose of discharging any of their functions. Those two or more authorities would need to agree to delegate functions or powers to the joint committee to enable it to discharge those functions. Those two or more authorities may permit other authorities to appoint members to the joint committee without those authorities delegating functions into it. However, all authorities that wish to join the joint committee will need to formally agree to set up the committee and agree the terms of reference to be able to appoint a member to the committee.
- 2.3 All members appointed to the joint committee are members of that committee. Under the legislation, all members would have the right to participate and vote on any matters at the joint committee. However, voting rights can be restricted to members of those authorities who have delegated functions to it in the Terms of Reference.
- 2.4 Section 9EB of the Local Government Act 2000 (LGA 2000) enables the Secretary of State to make regulations permitting arrangements under section 101(5) of the LGA 1972 where any of the functions are the responsibility of the executive of the Authority. The relevant regulations are the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. Regulation 11 makes provision for joint arrangements to involve a joint committee under section 101(5) of the LGA 1972.

- 2.5 The functions being delegated to the D2 Strategic Leadership Board are all executive functions. Therefore, in accordance with the legislation and the Council's Constitution, the decision to establish the D2 Strategic Leadership Board and determine the number of members to be appointed to the Committee and their terms of office should be made by Cabinet.
- 2.6 As the functions are executive functions, the regulations also require that the members appointed to the D2 Strategic Leadership Board should be members of the Executive.
- 2.7 In accordance with the Regulation 12 Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, a local authority with executive arrangements delegating executive functions is not able to co-opt additional members to the Committee. However, an authority operating a committee system is able to co-opt additional members. Therefore, the ability to co-opt is restricted within the Terms of Reference to obtaining a majority vote in relation to any proposal to co-opt. Such co-optees shall not be Members of the Joint Committee and shall have no voting rights.
- 2.8 Any requests for information received by the Board should be directed to the relevant constituent authority for that authority to deal with in the usual way, taking account of the relevant legislation. Where the request relates to information held by 2 or more constituent authorities, they will liaise with each other before replying to the request. The host authority will co-ordinate responses to ensure that legislative deadlines are met.
- 2.9 As part of the process of making decisions and changing policy, the D2 Strategic Leadership Board will in accordance with the public sector equality duty to consider the need to:
- Eliminate unlawful discrimination, harassment and victimisation
 - Advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who don't.
 - Foster good relations between people who share protected characteristics and those who don't.

Human Resources

- 3.1 The County Council currently employs 2FTE Grade 11 Senior Economic Development Officers who work for the Derbyshire Economic Partnership. Whilst their job description, person profile and line management will not change, they will now be required to support the

priorities of the D2 Strategic Leadership Board and its associated work, which would have previously agreed and commissioned by DEP.

3.2 As the host authority Derbyshire County Council will also hold a number of proposed additional Programme Team posts, to be agreed by the D2 Strategic Leadership Board in its first meeting and on the commitment of the programme budget. Recruitment to any outstanding posts will be in line with the grading criteria of the host council and their policies and procedures, as outlined below:

- 1 x Grade 12 Programme Manager
- 2 x Grade 9 Project Officers
- 0.5 x Grade 9 Communications Officer
- 1 x Grade 6 Admin Support.

3.3 These new posts will be created as a mixture of permanent and fixed term appointments, due to the one-off nature of a proportion of the programme funding. All posts would be subject to the host council's redundancy and redeployment policies and procedures.

3.4 All partners will be asked to confirm their willingness to recognise an obligation to the postholders, through offering redeployment opportunities as appropriate, should this become necessary.

Information Technology

4.1 None

Equalities Impact

5.1 An EIA is not needed as the report relates to an administrative decision rather than an issue of policy.

Corporate objectives and priorities for change

6.1 Vision Derbyshire is one of the Council's three strategic pillars forming part of the Council's overarching strategic approach. Working collaboratively with partners is fundamental to the Council's approach and ambition to deliver better outcomes for people and place.

Draft Proposed Structure for the D2 SLB (showing potential thematic areas, to be determined)



**THE DERBY AND DERBYSHIRE
STRATEGIC LEADERSHIP BOARD**

[Draft] TERMS OF REFERENCE

ARTICLES

1. Introduction and Context

1.1 The **Derby and Derbyshire Strategic Leadership Board** (D2 SLB) brings together the County's ten local authorities in what is a **joint committee** with a refreshed and fully inclusive approach to collaborative working across existing and new partnership activity. D2 SLB will:

- Provide collective leadership for Derby and Derbyshire, allowing our authorities to speak with a single, shared voice on matters of common interest at the county, regional and national level;
- Collaborate as partners to develop joined-up approaches to the complex, connected and sometimes challenging agendas where our councils share common interests; and additionally
- Progress shared ambitions for the area, co-ordinating resources better and more sustainably.

1.2 With the creation of the East Midlands Mayoral Combined County Authority bringing new opportunities to improve outcomes for people and places throughout Derby and Derbyshire, it makes sense for D2 councils to come together to manage their interface with this new authority as well as co-ordinating City, District, Borough and County agendas which are envisaged as becoming the remit of D2 SLB including economic development and regeneration, business and skills, health and wellbeing, transport and the environment and potentially wider agendas where there is common recognition in the value of tackling challenges together.

1.3 Accordingly, the D2 SLB will:

- Achieve joined up approaches within and between a variety of **shared policy agendas and service delivery agendas**, including but not restricted to place and economic development;
- Rationalise and **simplify existing partnership and governance arrangements** related to these areas (with agreement that the work of

existing County level committees (including the Vision Derbyshire Committee, the D2 Economic Prosperity Committee together with the Growth Board will be superseded by a single Derby and Derbyshire-wide partnership arrangement); and

- Provide the lead forum for collaborative activity between councils in Derbyshire on matters relating to the new **Combined County Authority** primarily to secure collective influence, especially concerning investment and growth.

1.4 In this context, the overall ambition of D2 SLB is to mature into a truly collaborative and representative partnership of all Derby and Derbyshire councils, to maximise shared aims to the benefit of local citizens and businesses.

Guiding Principles for the D2 SLB

1.5 The joint committee will provide:

- Strong, collective and inclusive leadership which seeks to deliver better local outcomes and more joined-up public services;
- Clear, transparent and accountable decision-making which will ensure best value for taxpayers' money and maintain strong ethical standards;
- Flexibility to work across organisational boundaries to deal with strategic and emergent challenges.

1.6 It is envisaged that collaboration and decision making based on these principles will enable Derby and Derbyshire's local authorities to tackle challenges at regional, county and local place levels more effectively.

1.7 The D2 SLB will act as the responsible decision-making body for functions delegated to it by participating Councils within Derby and Derbyshire and, accordingly, membership of the D2 SLB will comprise councillors appointed by those participating authorities. Councils may choose to appoint members to the D2 SLB while not delegating decision-making responsibilities for functions. However, all participating authorities, whether or not agreeing to delegate functions, will be required to contribute towards the costs of funding the D2 SLB.

1.8 Councils participating in the D2 SLB are committed to the provision of improved services. It is considered that this will, in certain instances, be best achieved by the joint provision of services, joint working and/or the development of common standards and protocols. All proposals for the setting up of any new services or the discharge of functions are in the first instance to be subject to an investigation into the suitability of providing such services or discharging such functions, as a joint service for all participating Councils.

2. Membership of the D2 SLB

- 2.1 All local authorities within the Derby and Derbyshire are invited to join the D2 SLB as constituent members (subject to agreement by respective councils) namely:
- Derbyshire County Council
 - Derby City Council
 - Amber Valley Borough Council
 - Bolsover District Council
 - Chesterfield Borough Council
 - Derbyshire Dales District Council
 - Erewash Borough Council
 - High Peak Borough Council
 - North-East Derbyshire District Council
 - South Derbyshire District Council
- 2.2 All participating councils within Derby and Derbyshire will be permitted to appoint one elected member to the D2 SLB and to nominate one elected member as a substitute, whether or not they are delegating functions to the D2 SLB.
- 2.3 A Substitute Member will have the same rights to receive meeting papers and to access information as the Member for whom s/he is a substitute.
- 2.4 All appointments as Members or Substitute Members of the D2 SLB shall be for a term of one year from the Annual Meeting, but an individual may be re-appointed to serve as a Member or Substitute Member any number of times.
- 2.5 All councils shall be entitled at any time to terminate the appointment of a Member or Substitute Member appointed by it and to appoint another of its Elected Members in that person's place. Where a Council exercises this power it shall give written notice of the new appointment and the termination of the previous appointment to the Monitoring Officer responsible for the D2 SLB and the new appointment shall take effect from the point specified in the written notice.
- 2.6 Should a change of political control occur at a participating local authority, usually arising from local elections, it will be for that local authority to confirm any changes in appointments to the D2 SLB's membership in accordance with

the constitutional arrangements of that Council. A Member or Substitute Member of the D2 SLB who ceases (for whatever reason) to be an Elected Member of the Council that appointed them shall immediately cease to be a Member or Substitute Member of the D2 SLB, and the relevant Council shall as soon as practicable give written notice of this to the Monitoring Officer responsible for the D2 SLB and appoint another of its Elected Members in that person's place.

- 2.7 A person may resign as a Member or Substitute Member of the D2 SLB by written notice served on the Proper Officer of the Council that appointed them and the resignation shall take effect on receipt of the notice by the Proper Officer. The relevant Council shall as soon as practicable give written notice of this to the Monitoring Officer responsible for the D2 SLB and appoint another of its Elected Members in that person's place.
- 2.8 Where an appointing Council operates executive arrangements (within the meaning of the Local Government Act 2000), the appointment, removal and replacement of Members and Substitute Members of the D2 SLB shall be decided in accordance with the constitutional requirements of that Council, but it is anticipated that all Members and Substitute Members appointed by it shall be Members of its executive and will include its executive leader or elected mayor.
- 2.9 All appointments, removals and replacements of Members and Substitute Members of the D2 SLB by Councils shall be made by notice in writing addressed to the Monitoring Officer responsible for the D2 SLB. Any such notice shall be deemed to have been given when received by the Monitoring Officer.
- 2.10 Any individual council that does not operate executive arrangements and that wishes to co-opt an additional member or members can only do so following consultation with and a majority vote of all voting members of the Joint Committee and shall have no voting rights. An individual's co-option shall terminate as soon as her/his involvement with the organisation that gave rise to the co-option ceases; and such co-option shall be endorsed annually by the Joint Committee and subsequently confirmed formally by the appointing authority.
- 2.11 All Members of the D2 SLB (including any Substitute Members acting in place of Members of the D2 SLB) will:
- a) (subject to the D2 SLB's voting arrangements) collectively be the ultimate policy makers of the D2 SLB;
 - b) bring views of their Councils into the D2 SLB's decision-making process; and
 - c) maintain the highest standards of conduct and ethics.

- 2.12 Members will at all times observe the Code of Conduct for Members in force in their own Council and any breaches will be reported to the Monitoring Officer of their own Council.
- 2.13 No remuneration shall be payable to D2 SLB Members other than allowances for travel and subsistence in accordance with the Members' Allowances Schemes in operation at participating Councils. (It is acknowledged that a participating Council may, in accordance with its own procedures, pay a special responsibility allowance to any Elected Member appointed by it to the D2 SLB in respect of duties and responsibilities undertaken as a Member or Substitute Member of the D2 SLB.)

3 Chairing the D2 SLB

- 3.1 The Chair of the D2 SLB will be appointed by the D2 SLB.
- 3.2 In the event that there are more than two Members nominated for the role of Chair, and there is not a clear majority of votes in favour of one Member, then the name of the Member with the least number of votes will be eliminated and that process will continue until a Chair is elected with a majority of votes.
- 3.3 The D2 SLB will appoint a Vice-Chair to deputise for the Chair when the latter is not present or available.
- 3.4 In the event that there are more than two Members nominated for the role of Vice-Chair, and there is not a clear majority of votes in favour of one Member, then the name of the Member with the least number of votes will be eliminated and that process will continue until a Vice-Chair is elected with a majority of votes.
- 3.5 The Chair or Vice-Chair of the D2 SLB will cease to hold such office when they cease to be a Member of the D2 SLB, in accordance with the provisions set out at paragraphs 2.6 to 3.7 above.

4. Procedural Arrangements

- 4.1 The D2 SLB shall meet in accordance with its agreed calendar of meetings throughout a municipal year, but additional meetings may take place should the need arise.
- 4.2 While a guiding principle of D2 SLB will be decision making by consensus, which will lead the Board to coalesce around agendas where there is a shared view about how to proceed, should there be circumstances where a vote is required each Member of the D2 SLB shall have one vote, other than in the following circumstances:
- a) where matters reserved to upper tier authorities are to be discharged, eg. public transport functions that are reserved to county and unitary authorities;

- b) where matters reserved to lower tier authorities are to be discharged, eg. housing functions that are reserved to borough, district and unitary authorities;
- c) where matters reserved to specific geographies are to be discharged, eg local planning functions that are reserved to Derbyshire councils only;
- d) where matters reserved in a combination of the above are to be discharged, eg. shared services arrangements involving specific councils not others.

4.3 In such circumstances Members from authorities that have no formal remit will not be entitled to vote. No authority represented on the Board will be empowered to vote on or to discharge a function belonging to another for which it has no responsibility in law. No authority will be entitled to vote on a matter to which they have not formally delegated to the D2 SLB.

4.4 The proceedings of the D2 SLB shall not be invalidated by any vacancy among its Members or Substitute Members or by any defect in the appointment or qualifications of any Member or Substitute Member.

5. Records of Proceedings

5.1 The D2 SLB shall make arrangements for the names of Members and Substitute Members present at any meeting to be recorded.

5.2 Minutes of the proceedings of a meeting of the D2 SLB, or any sub-committee, shall be kept in such form as the D2 SLB may determine.

5.3 Any such minutes are to be agreed as a true record and signed at the same or next suitable meeting of the D2 SLB or sub-committee by the Member chairing that meeting.

5.4 A Member of the D2 SLB, or any sub-committee, has the right to have their vote on any matter recorded in the minutes of the meeting at which the vote was cast.

5.5 Minutes of all minutes will be published on the websites of all participating Councils.

6. Sub-Committee

6.1 The D2 SLB may establish such sub-committees as it thinks fit to discharge its functions.

7. Officers

7.1 The Section 151 Officer (appointed under Section 73 of the Local Government Act 1975) and Monitoring Officer (appointed under section 5 of the Local Government and Housing Act 1989) of the host authority for the D2 SLB will serve as the statutory officers in support of the D2 SLB.

7.2 The D2 SLB may call upon any officer of any of the local authorities who have members on the D2 SLB for advice and assistance, as it considers necessary to carry out its functions.

8. Scrutiny of decisions

8.1 Each constituent authority which operates executive arrangements will be able to scrutinise the decisions of the D2 SLB in accordance with that constituent authority's overview and scrutiny arrangements. Any authority that operates a committee system model of governance will have the discretion to scrutinise decisions of the D2 SLB according to its own specific governance arrangements.

9 Winding up of the D2 SLB and Cessation of Membership

9.1 The D2 SLB may be wound up immediately by a unanimous vote of all constituent authorities.

9.2 Where an authority determines through its own governance arrangements that it no longer wishes to be a member of the D2 SLB, that authority may cease its membership with effect from the date of its decision. However, authorities will remain liable for any previously agreed financial contributions until the end of the financial year for which those contributions have been agreed regardless of any decision to cease membership. Where long term liabilities, such as any Pension Fund shortfall, exists they will be calculated at the point membership ceases and any council exiting the arrangement will pay the host authority an amount to cover their share of that liability.

FUNCTIONS AND RESPONSIBILITIES

- a. The D2 SLB is established pursuant to Section 101(5) of the Local Government Act 1972, which permits local authorities to make arrangements for two or more authorities to discharge functions jointly, so long as it is a function that the law reserves to a specified committee. The D2 SLB is established for the following purposes:
 - Provide collective strategic leadership for local government in Derby and Derbyshire;
 - Drive forward shared ambition and collective priorities for local government across Derby and Derbyshire;
 - Improve joint working across local government in Derby and Derbyshire
 - Form a collective view on matters impacting Derby and Derbyshire;
 - Enable agile, timely and effective decision making.
- b. The D2 SLB, on behalf of the participating authorities, will be responsible for improving the delivery of functions already within the remit of local authorities

through statute or through specific collaborative work to improve the economic, environmental or social wellbeing of the areas within Derby and Derbyshire from the following broad definitions:

- Incorporating existing partnership arrangements;
- Areas for collaborative system changes across authorities;
- Specific thematic projects and priorities.

c. Within those broad definitions, the D2 SLB will:

- i) Provide a forum for consideration of opportunities for joint working across Derby and Derbyshire;
- ii) Provide or assume democratic oversight for existing joint committee and partnership arrangements;
- iii) Inform and support the work of the East Midlands Mayoral Combined County Authority, in particular feeding into the EMCCA led Investment Strategy for the region;
- iv) Determine the prioritisation of issues affecting Derby and Derbyshire to influence commissioning at a regional level;
- v) Determine commissioning arrangements on matters for which funding is provided on a sub-regional basis;
- vi) In particular, act as the local public sector decision-making body for strategic economic development across Derby and Derbyshire (including potential alignment of resources, commissioning, and performance / contract management) in respect of:
 - (a) Skills and training
 - (b) Inward Investment
 - (c) Investor Development
 - (d) Sector Development
 - (e) Regeneration Delivery
 - (f) Climate Change and Low carbon
 - (g) Supporting debates on Land Use policy

- vii) Own, monitor and review the Derbyshire Growth Plans and associated investment plans;
 - viii) Act as the accountable body for decision making on funding streams allocated to the D2 SLB by other bodies;
 - ix) Oversee the planning, alignment and performance of delivery partners and organisations to achieve more effective and efficient commissioning, monitoring and implementation, and ultimately better outcomes;
 - x) Engage and maintain an active, ongoing dialogue with the Derby and Derbyshire business community through relevant economic advisory boards;
 - xi) Hold to account relevant bodies whose work impacts on the economic well-being of Derbyshire;
 - xii) Determine the programme of projects and work streams, how those will be managed and communicated to stakeholders and the public;
 - xiii) Monitor and review performance in respect of services delivered in partnership through the D2 SLB and authorise the publication of an annual report of performance and outcomes;
 - xiv) Commission strategic outline and full business cases for individual councils to consider opportunities for more collaborative working;
 - xv) Determine requests from individual authorities or groups of authorities to work collaboratively on specific projects or work streams;
 - xvi) Provide a forum for councils and their representatives to provide challenge to each other with the aim of increasing collaboration to deliver efficient, effective and economic services, which equally improve the offer and outcomes to residents and businesses;
 - xvii) Delegate functions and responsibilities to sub-committees or officers as the D2 SLB deems appropriate and keep any governance arrangements associated with the D2 SLB under review.
- d. In the above context, it will be for the Board to establish any sub committees it chooses to in order to provide support with specific tasks within the Board's work programme and for the Board to determine the membership of such sub committees. Any sub committees will report into the full Board.

- e. The D2 SLB will exercise all its powers and duties in accordance with the law and these terms of reference and procedure rules.
- f. The authorities appointing to the D2 SLB are:
- Derbyshire County Council
 - Derby City Council
 - Amber Valley Borough Council
 - Bolsover District Council
 - Chesterfield Borough Council
 - Derbyshire Dales District Council
 - Erewash Borough Council
 - High Peak Borough Council
 - North-East Derbyshire District Council
 - South Derbyshire District Council

[MEMBERSHIP TO BE AGREED BY RESPECTIVE AUTHORITIES]

- g. It is for individual Councils participating in the D2 SLB to determine which functions and responsibilities they are willing to delegate to the D2 SLB in accordance with their own decision-making arrangements. Conversely, the D2 SLB in determining its agenda, priorities and forward programme will wish to take a view on whether or not to accept such responsibilities.
- h. No authority represented on the D2 SLB may participate in voting upon or discharging a function for which it has no responsibility in law.

PROCEDURE RULES

These procedure rules apply where appropriate to the Joint Committee and Sub-Committees established by the Joint Committee.

1. Name

- 1.1 The name of the Joint Committee shall be the 'Derby and Derbyshire Strategic Leadership Board (D2SLB)'.

2. Membership

- 2.1 The membership of the Joint Committee shall be determined in accordance with the provisions of Article 2.

3. Meetings

- 3.1 The Annual Meeting of the Joint Committee shall be held each year on such a day in the month of March, April, May or June as the Joint Committee may fix, to deal with any other business normally transacted at an annual meeting.
- 3.2 The Joint Committee shall meet throughout the municipal year in accordance with its agreed calendar of meetings, but additional meetings may take place should the need arise. The dates and times of meetings of the Joint Committee (including the Annual Meeting and extraordinary meetings) shall be determined by the Joint Committee. Such meetings shall be held at a venue determined by the Chair. Save as provided elsewhere in these Procedure Rules all meetings of the Joint Committee, sub-committees and working party meetings shall be summoned by the Proper Officer of the host authority.
- 3.3 An extraordinary meeting of the Joint Committee may be called at any time by the Chair. If the Chair refuses to call an extraordinary meeting of the Joint Committee after a requisition for that purpose signed by three Members of the Joint Committee has been presented to him/her or if, without so refusing, the Chair does not call an extraordinary meeting within seven days after the requisition has been presented to him/her then any three Members of the Joint Committee, on that refusal, or on the expiration of those seven days, as the case may be, may forthwith call an extraordinary meeting of the Joint Committee.
- 3.4 No business shall be considered at any extraordinary meeting save such as is specified in any requisition of the Joint Committee calling such meeting, or as the case may be, in the requisition presented to the Chair by Members.

4. Chair and Vice-Chair

- 4.1 Article 4 sets out the arrangements for the appointment of Chair and Vice-Chair of the Joint Committee.

- 4.2 If the Chair is absent from a meeting the Vice-Chair, if present, shall preside.
- 4.3 If both the Chair and Vice-Chair are absent from a meeting of the Joint Committee, such Member as the Members of the Joint Committee present so choose, shall preside.
- 4.4 Any power or duty of the Chair in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

5. Quorum

- 5.1 The quorum for a meeting will be one third of the total of the members of the Committee who are entitled to vote.
- 5.2 If during a meeting the Chair, after counting the number of Members present, declares that there are not one third of the Members present, who are entitled to vote, the meeting shall stand adjourned. The names of those Members who are present shall be recorded in the minutes of the meeting. Consideration of any business not transacted shall be adjourned to a date and time fixed by the Chair at the time the meeting is adjourned, or if s/he does not so fix a date and time, to the next meeting of the Joint Committee.

6. Chair's Announcements

- 6.1 No discussion shall take place on any announcement made by the chair of the meeting, but any Member shall be at liberty to move a motion, without notice, to refer the subject matter of any such announcement to the next ordinary meeting of the Joint Committee and such motion, on being seconded, shall be at once put to the vote.

7. Order of Business

- 7.1 Except as otherwise provided by paragraph 7.2 of this Rule, the order of business at every meeting of the Joint Committee other than the annual meeting and any extraordinary meeting shall be:
 - (a) To choose a person to preside if the Chair and Vice-Chair are absent;
 - (b) Apologies for absence;
 - (c) To receive disclosures by Members of interests in matters under consideration;
 - (d) To approve as a correct record and sign the minutes of the last meeting of the Joint Committee;
 - (e) To deal with any business expressly required by statute to be done;
 - (f) Chair's announcements;
 - (g) To dispose of business, if any, remaining from the last meeting;
 - (h) To receive minutes of sub-committees;

- (i) To receive and consider reports, if any, from sub-committees;
- (j) To receive and consider reports from constituent authorities;
- (k) To receive minutes of and recommendations from other bodies;
- (l) To consider motions, if any, in the order in which notice has been received;
- (m) To deal with other business, if any, specified in the summons.

7.2 The Chair may at any meeting vary the order of business so as to give precedence to any business as seems appropriate and/or which in his/her opinion is of special urgency but such a variation shall not displace any business falling under items (a), (b), (d) or (e) in paragraph 7.1 of this Rule.

7.3 At any extraordinary meeting of the Joint Committee the minutes of the last ordinary meeting of the Joint Committee will not be considered. The minutes of an extraordinary meeting of the Joint Committee will be submitted where possible to the next ordinary meeting of the Joint Committee.

8. Notice of Motion

8.1 Except as provided by Rule 9, every notice of motion shall be in writing, signed by the Member or Members of the Joint Committee giving the notice and delivered by email or in person at least seven clear days before the next meeting of the Joint Committee at the office of the Head of Paid Service of the host authority, by whom it shall be dated, numbered in the order in which it is received and a record kept, which shall be open to the inspection of every Member of the Joint Committee during normal office hours.

8.2 Every motion shall be relevant to some matter in relation to the Joint Committee's powers or duties.

8.3 The Head of Paid Service of the host authority shall set out in the summons for every meeting of the Joint Committee motions of which notice has been duly given in the order in which they have been received, unless the Member(s) giving such notice intimated in writing, when giving it, that s/he proposed to move it at some later meeting or has withdrawn it in writing.

8.4 If a motion set out in the summons is not moved either by a Member who gave notice thereof or by some other Member on his/her behalf, it shall, unless postponed by consent of the Joint Committee, be treated as withdrawn and shall not be moved without fresh notice.

9. Motions which may be moved without notice

9.1 The following motions may be moved without notice:

- (a) Appointing a Chair of the meeting at which a motion is moved;

- (b) Motions relating to the accuracy of the minutes;
- (c) That an item of business specified in the summons has precedence;
- (d) Appointment of a sub-committee or members thereof occasioned by the appointment;
- (e) That leave be given to withdraw a motion;
- (f) That leave be given to withdraw in whole or in part or amend the minutes or proceedings of the Joint Committee or any sub-committee;
- (g) That the Joint Committee proceeds to the next business;
- (h) That the question be now put;
- (i) That the debate be now adjourned;
- (j) That the Joint Committee does now adjourn;
- (k) Amendments to any motion to approve the Minutes or proceedings of the Joint Committee or any sub-committee any part of which has been withdrawn or amended in accordance with Rule 9(f);
- (l) Suspending Procedure Rules in accordance with Rule 18;
- (m) A motion, under Part 1 of Schedule 12A to the Local Government Act 1972 (relating to admission to meetings of local authorities);
- (n) That a Member named under Rule 12 be not further heard or do leave the meeting;
- (o) Giving consent or leave of the Joint Committee where the consent or leave of the Joint Committee is required by these Procedure Rules;
- (p) That the subject matter of an announcement made by the chair of the meeting be referred to the next meeting of the Joint Committee or the appropriate sub-committee;
- (q) Approval or amendment of recommendations of Officers and any consequential resolutions.

10. Amendments to Motions

- 10.1 Normally, no motion to amend a motion other than a motion which may be moved without notice under Rule 9 shall be moved at any meeting of the Joint Committee unless not less than 24 hours' notice in writing of the motion, signed by the Member(s) giving notice, is delivered to the Monitoring Officer of the host authority. The Head of Paid Service of the host authority shall inform the Chair of the Joint Committee of any such amendments so received.

11. Rules of Debate

- 11.1 A motion or amendment shall not be discussed unless it has been proposed and seconded.
- 11.2 An amendment shall be relevant to the motion and shall be either:

- (a) to refer a subject of debate to the next meeting of the Joint Committee or the sub-committee for consideration or re-consideration; or
 - (b) to leave out words and insert or add others; or
 - (c) to insert or add words;
- but such omission, insertion or addition of words shall not have the effect of negating the motion before the Joint Committee.
- 11.3 Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of.
- 11.4 When an amendment has been lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion to which any further amendment may be moved.
- 11.5 When a motion is under debate no other motion shall be moved except the following:
- (a) to amend or withdraw the motion provided that the notice of amendment has been properly given in accordance with these Procedure Rules;
 - (b) to adjourn the meeting;
 - (c) to proceed to the next business;
 - (d) that the question be now put;
 - (e) that a Member be not further heard.
- 11.6 The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.
- 11.7 A Member who does not have the right to vote on a matter shall have the same rights to speak on a matter as a Member with the right to vote on that matter.

ACCESS TO INFORMATION PROCEDURE RULES

These rules are a summary of rights to attend meetings of the D2 Strategic Leadership Board, its sub-committees, and of access to documents. The host authority for the Joint Committee will keep at its principal office a summary of various rights to attend meetings and to inspect documents in the possession of that authority on behalf of the Joint Committee, conferred by law.

1. Access

- 1.1 A meeting of the Joint Committee (including meetings of its sub-committees) is open to the public, except as stated in Rules 1.2 and 1.3 below.
- 1.2 The public must be excluded from a meeting during any item of business whenever it is likely that, if they were present, confidential information would be

disclosed in breach of the obligation of confidence. Confidential information means information provided on a confidential basis by a government department, and information the disclosure of which is prohibited by statute or by Court order.

- 1.3 The public may be excluded by resolution during an item of business whenever it is likely that there would be disclosure to them of 'exempt information'. Exempt information is defined to cover such matters as personal information, financial and business affairs of people or companies with whom the Authority has dealings, action likely to lead to criminal proceedings, matters relating to industrial relations consultations and negotiations and matters relating to legal proceedings. A description of 'exempt information' is set out in Schedule 12A to the Local Government Act 1972, as amended.

2. Access to Agendas and Reports

- 2.1 Copies of the agenda and reports for a meeting of the Joint Committee or of any of its sub-committees must be open for inspection by the public, except for any report on an item during the consideration of which the meeting is not likely to be open to the public. Documents must be available five clear days before the meeting, or as soon as the meeting is convened, or the item added to the agenda, if that is less than five clear days before the meeting. The papers will be available through the following website (insert link) and at the offices of the host authority.
- 2.2 A reasonable number of copies of agendas and reports must be available for members of the public present at a meeting. The agendas and reports must also be made available to the media on request.

3. Key Decisions

- 3.1 A "Key Decision" means a decision of a decision maker, which is likely—
 - (a) to result in the incurring of significant expenditure, or the making of significant savings, having regard to the Joint Committee's budget for the service or function to which the decision relates; or
 - (b) to be significant in terms of its effects on persons living or working in an area comprising two or more wards or electoral divisions in the area of the participating authorities.

In relation to expenditure or savings referred to in 3.1(a), as a guide, this will ordinarily be taken to mean that a Key Decision will result in expenditure or savings in excess of £0.25M.

4. Procedures before taking Key Decisions

- 4.1 Notice – Where a decision maker intends to make a Key Decision that decision must not be made until a notice has been published which states:

- (a) that a key decision is to be made in relation to the discharge of functions which are the responsibility of the Joint Committee;
- (b) the matter in respect of which the decision is to be made;
- (c) the decision maker's name, and title if any;
- (d) the date on which, or the period within which, the decision is to be made;
- (e) a list of the documents submitted to the decision maker for consideration in relation to the matter in respect of which the key decision is to be made;
- (f) the address from which, subject to any prohibition or restriction on their disclosure under Rule 1.3, copies of, or extracts from, any document listed is available;
- (g) that other documents relevant to those matters may be submitted to the decision maker; and
- (h) the procedure for requesting details of those documents (if any) as they become available.

4.2 Subject to Rule 10 (general exception) and Rule 11 (special urgency), a key decision may not be taken unless:

- (i) the notice referred to at 4.1 above has been published:
 - (a) if the Joint Committee has a website, on its website; or
 - (b) otherwise, in such manner as it thinks is likely to bring the notice to the attention of persons who live in its area; and made available for inspection by the public at the offices of the host authority;
- (ii) at least twenty eight clear days have elapsed since the publication of the notice; and
- (iii) where the decision is to be taken at [or in the presence of] a meeting of the Joint Committee or its sub-committees, notice of the meeting has been given in accordance with 2.1 (notices of meetings) above.

4.3 Where, in relation to any matter:

- (i) the public may be excluded under section 100A of the Local Government Act 1972 from the meeting at which the matter is to be discussed; or
- (ii) documents relating to the decision need not, because of Rule 6 (confidential information), be disclosed to the public, the notice referred to above must contain particulars of the matter but may not contain any confidential information or exempt information.

5. Notice of a Key Decision – Cases of Special Urgency

5.1 Where the date by which a key decision must be made makes compliance with Rule 4 impracticable, the decision may only be made where the decision maker has obtained agreement from the Chair of the Joint Committee or, in the absence of the Chair, the Vice-Chair of the Joint Committee that the making of the decision is urgent and cannot reasonably be deferred.

5.2 As soon as reasonably practicable after the decision maker has obtained agreement under paragraph 5.1 that the making of the decision is urgent and cannot reasonably be deferred, the decision maker must:

- (a) make available to the public at the offices of the host authority a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred; and
- (b) publish that notice on the Joint Committee's website, if it has one.

6. Inspection of Background Papers

6.1 Members of the public may also inspect a list of background papers for any report (except those reports containing 'confidential' or 'exempt' information) and a copy of each of the documents included in that list. This right is available as soon as the report to which the list relates is published, and continues for four years from the date of the meeting. (In the case of the public right to inspect background papers, the right is subject to their production as soon as is reasonably practicable after the request is made). Background papers disclosing confidential or exempt information are not required to be listed, but, if they are listed, they will not be open to inspection.

6.2 Background papers are documents which relate to the subject matter of a report, disclose any fact or matter on which the report is based, and have been relied on to a material extent in preparing the report - but exclude any published work. Requests for inspection of such documents should be made to the Monitoring Officer of the host authority who will arrange for the production of such documents as soon as reasonably practicable after the request.

7. Additional Access for Members of the Joint Committee

7.1 Any document in the possession or under the control of the Joint Committee which contains material relating to any business to be transacted at a meeting is open to inspection by a member of the Joint Committee.

7.2 Where a document discloses certain specified categories of exempt information it need not be open to inspection by a member. These categories relate mainly to personal information relating to crime or legal proceedings, or matters concerned with negotiations or industrial relations.

8. Publication of additional information

8.1 The host authority for the Joint Committee must maintain a register stating the name of every member of the Joint Committee and sub-committees and their appointing council. The register is published on the website and is also open to inspection by the public at the offices of the host authority.

8.2 The host authority for the Joint Committee will maintain a list specifying the powers delegated to individual authorities or specific officers, and stating the title of the officer by whom each of those powers is exercisable. The list is

published on the website of the host authority and also open to public inspection, but excludes delegations of less than six months' duration.

9. Documents deposited with the Joint Committee

9.1 Documents may be required to be deposited with a proper officer of the host authority for the Joint Committee, either under an Act of Parliament or statutory instrument, or pursuant to the Standing Orders of either House of Parliament. A person interested in any such document may inspect it. Requests should be made to the Monitoring Officer.

10. Other Documents

10.1 Any report received from the Local Government Ombudsman under section 30 of the Local Government Act 1974 must normally be open to public inspection for a period of three weeks, but the Ombudsman may direct that a particular report shall not be publicly available.

10.2 Where a public inquiry is to be held into a compulsory purchase order made by the Joint Committee, a statement of the Joint Committee's case to the inquiry, together with copies of any documents it intends to submit to the inquiry, must be made available for inspection by any person on request.

10.3 The Local Government (Inspection of Documents) (Summary of Rights) Order 1986 lists many other statutory provisions under which documents are required to be made available to the public.

11. Fees

11.1 No fee will be charged for providing the facility of inspecting background papers.

11.2 A person who is entitled to inspect a document may (unless copyright law forbids it) make copies of, or extracts from it, or require a photographic copy of, or extract from, the document. The host authority for the Joint Committee reserves the right to make a charge for providing copies of documents.

12. Disorderly Conduct

12.1 If at a meeting any Member of the Joint Committee in the opinion of the Chair misconducts himself/herself by persistently disregarding the ruling of the Chair or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Joint Committee, the Chair may move 'That the Member named be not further heard' and the motion if seconded shall be put and determined without discussion.

12.2 If the Member named continues his/her misconduct after a motion under the foregoing paragraph has been carried the Chair shall either move 'That the Member named do leave the meeting' (in which case the motion shall be put and determined without seconding or discussion), or adjourn the meeting of the Joint Committee for such period as s/he in his/her discretion shall consider expedient.

- 12.3 In the event of general disturbance which in the opinion of the Chair renders the due and orderly dispatch of business impossible, the Chair in addition to any power vested in him/her may, without question put, adjourn the meeting of the Joint Committee for such period as s/he in his/her discretion shall consider expedient.

13. Rescission of Previous Resolution

- 13.1 No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months shall be proposed unless the notice thereof given in pursuance of Rule 8 bears the names of at least five Members of the Joint Committee. When any such motion or amendment has been disposed of by the Joint Committee, it shall not be open to any Member to propose a similar motion within a further period of six months.
- 13.2 Provided that this Rule shall not apply to motions moved by the Chair or other Members of the Joint Committee in pursuance of a recommendation of a sub-committee.

14. Mode of Voting

- 14.1
- (a) Every proposition shall, unless otherwise required by these Procedure Rules or statute, be determined by show of hands.
 - (b) In taking the votes on any proposition, only those Members who are present in the room when the proposition is put from the chair shall be entitled to vote.
 - (c) After a proposition is put from the Chair but before the vote is taken, any three Members by show of hands may require that the voting shall be recorded in the minutes of the meeting so as to show whether each Member present gave his/her vote for or against that proposition or abstained from the voting.
 - (d) Except where a recorded vote has been taken, any Member who is present when the vote was taken may require that his/her vote for or against the question or abstention shall be recorded in the minutes by notifying the Head of Paid Service of the host authority.
- 14.2 Where there are more than two persons nominated for any position to be filled by the Joint Committee and of the votes given there is not a majority in favour of one person, the one having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on, until a majority of votes is given in favour of one person.
- 14.3 In the case of an equality of votes the Chair shall have a second or casting vote.

15. Urgent Business

15.1 The Head of Paid Service, Chief Financial Officer and the Monitoring Officer of the host authority shall each be empowered individually to take any action which is required as a matter of urgency in the interests of the Joint Committee, after consultation (where practicable) with the Chair of the Joint Committee, on behalf of and within the powers and duties of the Joint Committee. All such action shall be reported to the next meeting of the Joint Committee.

16. Variation and Revocation of Procedure Rules

16.1 Any motion to add to, vary or revoke these Procedure Rules shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Joint Committee, provided that this Rule shall not apply to any review of Procedure Rules at the annual meeting of the Joint Committee.

17. Suspension of Procedure Rules

17.1 No Rule shall be suspended at any meeting of the Joint Committee except on the vote of a majority of the members then present.

18. Recordings at Meetings

18.1 The Local Audit and Accountability Act allows persons:

- (a) To film, photograph or make sound recordings of proceedings at a meeting of a body to which this section applies, or of a committee or - sub-committee of such a body;
- (b) To use other means for enabling persons not present at such a meeting to see or hear proceedings at the meeting, as it takes place or later;
- (c) To report or provide commentary on the proceedings at such a meeting orally or in writing, so that the report or commentary is available, as the meeting takes place or later, to persons not present at the meeting.

19. Record of Attendance

19.1 Every Member of the Joint Committee attending a meeting or a meeting of a sub-committees of which s/he is a member, shall have their attendance recorded and published through the website of the host authority.

20. Appointment of Sub-Committees

20.1 The Joint Committee may establish such sub-committees as it deems appropriate or it is required to appoint by or under any statute.

20.2 Subject to any statutory provision in that behalf the Joint Committee:

- (a) shall not appoint any member of a sub-committee so as to hold office later than the next annual meeting of the Joint Committee;
- (b) may at any time dissolve a sub-committee or alter its membership; every vacancy on a sub-committee shall be reported by the Head of Paid Service of the host authority at the first meeting of the Joint Committee after the vacancy has arisen and the Joint Committee may thereupon proceed to fill the vacancy.

- 20.3 The Joint Committee may appoint sub-committees for purposes to be specified by the Committee and, subject to these Procedure Rules and to any resolution of the Joint Committee in that behalf, may delegate to any such sub-committee any power or duty delegated by the Joint Committee.
- 20.4 The Chair and Vice-Chair of the Joint Committee shall be ex-officio members of every sub-committee appointed by the committee.
- 20.5 The membership of a sub-committee may include persons who are not members of the Joint Committee by which the sub-committee was appointed, however where such persons are not Members of the Joint Committee, they shall be appointed as non-voting members.
- 20.6 A Joint Committee shall not appoint any member of a sub-committee so as to hold office later than the next annual meeting of the Joint Committee and may at any time dissolve a sub-committee or alter its membership.

21. Quorum of Sub-Committees

- 21.1 Except where ordered by the Joint Committee or authorised by statute, or set out in the specific terms of reference of a sub-committee, business shall not be transacted at a meeting of any sub-committee unless at least one third of the whole number of members of the sub-committee who are entitled to vote is present, provided that in no case shall the quorum of a sub-committee be less than three members.

22. Procedure Rules to Apply to Committees and Sub-Committees

- 22.1 These Procedure Rules shall, with any necessary modifications, apply to meetings of sub-committees.

23. Interpretation

- 23.1 The decision of the chair of the meeting on the question of the construction of the Procedure Rules and on any question of order not provided for by the Procedure Rules shall be final.
- 23.2 The inclusion or exclusion of any specific matters in any other regulation or resolution shall not be construed as limiting in any way the scope of these Procedure Rules.
- 23.3 Where the Monitoring Officer is not a solicitor holding a current practising certificate for the expression "Monitoring Officer" in these Procedure Rules there shall be substituted the expression "the solicitor to the Joint Committee" wherever it is appropriate and where there is a requirement at law that such action is to be taken by a solicitor.

24. Procedure Rules to be Given to Members

- 24.1 A printed copy of these Procedure Rules and any other documents in respect of governance of the Joint Committee shall be given by the Monitoring Officer

of the host authority to every Member of the Joint Committee on his/her first being appointed to the Joint Committee.

A short guide to the D2 Strategic Leadership Board (D2 SLB)

a) Aims and ambitions – what is it; and why should my council join?

D2 SLB is exactly as its name implies, a **leadership board**, bringing together Derby and Derbyshire's ten councils to lead and direct existing and new partnership agendas and activity:

- Providing collective **leadership for Derby and Derbyshire**, allowing our authorities to speak with a single, shared voice on matters of common concern at the county, regional and national level;
- Collaborating as partners to develop **joined-up approaches** to the complex, connected and challenging agendas where our councils share common interests; and
- Progressing **shared ambitions** for the people and places of Derbyshire, making decisions together to improve services and co-ordinate resources better and more sustainably.

All local authorities within Derby and Derbyshire are invited to join D2 SLB as constituent members and to play a full part in co-ordinating and driving agendas where it is recognised and agreed that more can be achieved for all our localities, and for Derbyshire as a whole, by our councils **working together**.

Those agendas will incorporate the remits of the dissolved D2 Economic Prosperity and Vision Derbyshire Joint Committees – including, **'place', regeneration, broader economic development, business and skills, and transport**, and strengthening the focus of wider agendas including **climate and the environment, and health and wellbeing**.

Legally, the D2 Strategic Leadership Board will be constituted as a **'Joint Committee'**. This means that, with decision making powers delegated to it by its constituent member councils, the Board will be empowered to jointly discharge and to exercise functions on their behalf within its agreed remit. (A Joint Committee is one comprising two or more councils established for the joint discharge of any functions of those councils in accordance with the Local Government Act 1972, s101.)

A further consideration behind the proposed D2 Strategic Leadership Board is the creation of a Combined County Authority for the East Midlands, which will bring new opportunities to improve outcomes for people and places throughout Derbyshire. Once established, it makes sense for D2 councils to come together to manage their interface with this new authority which is envisaged as having a

key role in determining agendas, such as an investment programme and adult education strategy for the East Midlands region. All Derby and Derbyshire's councils will have a stake in these agendas and shaping these effectively will be made more possible by doing so together.

b) Functions – what will it do; what is my Council agreeing to, getting from it; and giving up?

The D2 Strategic Leadership Board is intended to:

- achieve joined up approaches within and between **shared policy and service delivery agendas**, in the first instance, place, growth, regeneration and economic development – including business support, inward investment, skills and transport; and, potentially, oversight of related future funding from the new Combined County Authority or Government;
- rationalise and **simplify existing partnership and governance arrangements** related to these areas (with agreement that the work of existing County level committees (including the Vision Derbyshire Committee, the D2 Economic Prosperity Committee together with the proposed D2 Growth Board will be superseded by a single Derbyshire-wide partnership arrangement); and
- provide a possible forum for collaborative activity between councils in Derbyshire on matters relating to the anticipated new **Combined County Authority**; to generate and secure collective influence by providing a sounding board for Derby and Derbyshire's representatives on the CCA Board, especially concerning the CCA's investment and growth strategies; and additionally, because a mechanism is needed to agree nominations and appointments from Derbyshire Councils to the CCA Board (though this is subject to EMCCA delegation and further approvals).

By joining, Derby and Derbyshire's councils are, first, signalling their intention to work together in the provision of improved services for Derby and Derbyshire's residents and the general betterment of the city and county; and secondly, councils are enabling the D2 Strategic Leadership Board to act as the responsible decision-making body for such functions as those identified above that are conferred upon it by participating councils.

The County's local authorities have, therefore, nothing to lose and everything to gain from membership of the Strategic Leadership Board. The hope is that their active commitment and participation will allow the Board to mature into a truly authoritative, representative and collaborative partnership of all Derbyshire councils – while duly acknowledging the sovereignty of participating councils and recognising that each will have separate as well as shared interests in partnership working. This includes a choice about whether or not to participate in specific agendas (or indeed whether or not to participate at all).

c) Arrangements – how it will work in practice; how is my Council assured of getting a say?

Within the remit conferred upon it by participating Councils, it will be for the D2 SLB itself to determine its agenda and priorities, forward programme of activities together with the frequency of its meetings and working methods.

In doing so, the D2 SLB's guiding principles will be:

- Strong collective leadership which seeks to deliver better local outcomes and more joined-up public services
- Clear, transparent and accountable decision-making which will ensure best value for taxpayers' money and maintain strong ethical standards
- An inclusive model of governance reflecting the geographical footprint of Derbyshire
- Flexibility to work across organisational boundaries to deal with strategic and emergent challenges whilst maintaining local control; and last but not least
- Decision making by consensus.

Membership of the Board will comprise councillors from participating councils who will each be enabled to **appoint one Elected Member and one substitute**.

Although it is assumed that Councils joining the D2 Strategic Leadership Board will wish to delegate responsibilities for collective decision making in respect of agreed agendas identified above, whether or not Councils choose to do so is entirely a matter for them. Membership and participation by all Derbyshire's councils is welcome, including by councils who choose not to confer responsibilities in the way that is envisaged and who instead choose to retain full, separate local control.

While the Board is envisaged as reaching decisions on the basis of consensus, formally, should there be circumstances where a vote is called for, no authority represented on the Board will be empowered to vote on or to discharge a function belonging to another for which it has no responsibility in law. Accordingly, the **Terms of Reference are drafted to ensure safeguards** are in place regarding Councils' discharge of their own statutory and non-statutory responsibilities.

All participating authorities, whether or not agreeing to delegate functions, will be required to contribute towards the costs of funding the Board. **It is proposed that the County Council will act as host Authority for the Board.**

Strategy and Policy Team, DCC, January 2024

---- Ends ----

REPORT TO:	COUNCIL	AGENDA ITEM: 11
DATE OF MEETING:	11 APRIL 2024	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (CORPORATE RESOURCES)	OPEN
MEMBERS' CONTACT POINT:	FIONA PITTAM fiona.pittam@southderbyshire.gov.uk	DOC:
SUBJECT:	PAY POLICY STATEMENT 2024/2025	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

1.1 That the Pay Policy Statement for the financial year 2024/2025 is approved for publication.

2.0 Purpose of the Report

2.1 The Localism Act 2011 requires all local authorities to publish a Pay Policy Statement on an annual basis. The regulations require the Full Council to consider and approve the Statement for publication in accordance with the Code of Practice on Transparency in Local Government.

3.0 Detail

3.1 The Pay Policy Statement (Appendix 1) reflects the Council's organisation structure as of 1 April 2024.

3.2 The pay multiples in Section 6 of the Statement are based on the current pay scales. The multiple between the pay of the Council's highest paid employee and the lowest paid employee is 1:4.72 which is a decrease from the 2022/2023 figure of 1:5.11.

3.3 The multiple between the pay of the Council's highest paid employee and the median salary is 1:6.24 which is a slight decrease compared to 1:6.66 in 2023/2024.

4.0 Financial Implications

4.1 There are no financial implications arising from this report.

5.0 Corporate Implications

Employment Implications

5.1 There are no employment implications arising from this report.

Legal Implications

- 5.2 The annual publication of the Pay Policy Statement ensures compliance with the requirements of The Localism Act 2011.

Corporate Plan Implications

- 5.3 None directly.

Risk Impact

- 5.4 None directly.

6.0 Community Impact

Consultation

- 6.1 None directly.

Equality and Diversity Impact

- 6.2 None directly.

Social Value Impact

- 6.3 The aim of the Pay Policy is to ensure that the Council's approach to setting pay is accessible and to enable local people to take an informed view of whether local decisions on all aspects of remuneration are fair and make the best use of public funds.

Environmental Sustainability

- 6.4 None.

7.0 Conclusions

- 7.1 The completion and publication of the Pay Policy Statement ensures that the Council has met the requirements of the Localism Act 2011.

8.0 Background Papers

- 8.1 Pay Policy Statement 2024/2025 (Appendix 1).

Pay Policy Statement 2024/2025

Organisational Development and Performance
March 2024

Document Control

Version Control

Printed documents are uncontrolled. This document is only valid on the day it was printed.

Version	Description of Version	Effective Date
1.0	Pay Policy Statement	1 April 2014
2.0	Pay Policy Statement 2015/2016	1 April 2015
3.0	Pay Policy Statement 2016/2017	1 April 2016
4.0	Pay Policy Statement 2017/2018	1 April 2017
5.0	Pay Policy Statement 2018/2019	1 April 2018
6.0	Pay Policy Statement 2019/2020	1 April 2019
7.0	Pay Policy Statement 2020/2021	1 April 2020
8.0	Pay Policy Statement 2021/2022	1 April 2021
9.0	Pay Policy Statement 2022/2023	1 April 2022
10.0	Pay Policy Statement 2023/2024	1 April 2023
11.0	Pay Policy Statement 2024/2025	1 April 2024

Approvals

Approved by	Date
Full Council	11 th April 2024

Associated Documentation

Description of Documentation	

1.0 INTRODUCTION

1.1 This Pay Policy Statement for 2024/2025 has been produced in accordance with the requirements of the Localism Act 2011 (The Act), which requires that a Pay Policy Statement is published annually. The Council's statement takes into account the guidance provided as well as the provisions of the Act.

1.2 Local Authorities should include in their Pay Policy Statements information in relation to:

- The remuneration of their most senior employees.
- The remuneration of their lowest paid employees.
- The relationship between the remuneration of their most senior employees and that of other employees.

2.0 STATUS OF THE PAY POLICY STATEMENT

2.1 The Act requires the Pay Policy Statement for each financial year to be approved by Full Council. The approved policy will be published on the Council's website.

2.2 The Pay Policy Statement is reviewed on an annual basis. Each version of the Policy will be approved by Full Council and take place at the nearest meeting of the Full Council to the 1 April each year.

2.3 The Pay Policy Statement can be amended during the course of a financial year with approval by Full Council.

3.0 TRANSPARENCY AND AUTONOMY

3.1 The Council recognises and welcomes the aims behind the requirement for a Pay Policy Statement which are to:

- Ensure that the Council's approach to pay is accessible for all.
- Enable local people to take an informed view of whether local decisions by the Council are fair and make the best use of public funds.

3.2 The Council also welcomes the Government's recognition that each local authority remains an employer in its own right and has the autonomy to make decisions on pay that are appropriate to local circumstances and continue to deliver value for money for the community.

4.0 **REMUNERATION OF THE COUNCIL'S SENIOR EMPLOYEES**

4.1 The Council's senior employees are:

- Chief Executive and Head of Paid Service.
- Two posts at a Director level. These posts report to the Chief Executive. The Directors are:
 - Strategic Director – Service Delivery
 - Strategic Director - Corporate Services. (This role also undertakes the role of Chief Finance Officer (CFO) in accordance with section 151 of the 1972 Local Government Act that requires the Council to make arrangements for the proper administration of its financial affairs).
- Heads of Service. These twelve posts are responsible for specific service areas and report to either a Strategic Director or the Chief Executive. The Heads of Service are:
 - Head of Planning and Strategic Housing
 - Head of Cultural and Community Services
 - Head of Operational Services
 - Head of Environmental Health
 - Head of Housing
 - Head of Finance
 - Head of Customer Services
 - Head of Business Change and ICT
 - Head of Organisational Development and Performance
 - Head of Corporate Property
 - Head of Legal and Democratic Services and Monitoring Officer
 - Head of Economic Development and Growth

The above structure is effective as at 1 April 2024.

4.2 For information on the Council's Monitoring Officer please see paragraph 5.11.

Background

4.3 The Chief Executive and Strategic Directors are the Council's Leadership Team which is also attended by the Council's duly appointed Monitoring Officer. These senior employees are responsible for working with Elected Members to deliver the overall strategic direction of the Council, to manage the Council's financial and other resources, to ensure high levels of compliance and governance and for effective delivery of all the services provided by the Council.

Overall policy on the remuneration of senior posts

- 4.4 The Council's overall approach to the remuneration of its senior posts is based on:
- Compliance with equalities (including equal pay) legislation.
 - Ensuring that its overall remuneration packages align with comparable posts in local government whilst taking into account:
 - Relevant pay data from similar authorities to allow meaningful benchmarking to be undertaken.
 - The responsibility of posts and their level in the Council.
 - National terms and conditions of employment that apply to senior posts.
 - External independent professional advice provided by appointed partners such as the Local Government Association (LGA).
- 4.5 The Council will seek to maintain this overall approach by periodically monitoring pay data provided by such organisations as the Local Government Association. This period is determined by the Council.
- 4.6 In terms of pay differentials for its senior posts, the Council recognises that:
- The role of Chief Executive and Head of Paid Service is directly accountable for the Council workforce and has the greatest level of accountability. This post therefore warrants the highest level of pay in the Council.
 - The Strategic Directors report directly to the Chief Executive. These posts have a wide span of responsibility for a number of service areas and in turn have a number of managers reporting to them. These posts therefore warrant the next highest pay level below that of the Chief Executive and Head of Paid Service.

Developing pay scales for senior posts

- 4.7 The Council has determined the pay scales for its senior posts locally and for these to be approved by the Finance and Management Committee. When the last review covering the current pay scales for senior posts at the Council was completed a Remuneration Panel was appointed consisting of Elected Members to develop and recommend, in accordance with a project brief, the relevant pay scales.
- 4.8 An independent organisation, the Local Government Association (LGA), was commissioned by the Council to advise the Remuneration Panel.
- 4.9 Part of the LGA's remit is to assist local authorities to create pay solutions. Its work also leads to the development of national conditions of service and pay scales. The LGA has access to national pay data surveys e.g. the salary and numbers surveys for the Joint National Councils for Chief Executives and for Chief Officers. Using its experience of developing pay models and pay scales the LGA identified relevant pay

data which enabled the Council's pay scales for the Chief Executive's post and the Strategic Directors posts to be benchmarked against the pay scales for similar posts in comparable sized Councils.

- 4.10 Based on this information recommendations were made to the Finance and Management Committee by the Remuneration Panel on the pay scales for the Council's senior posts. The current pay scales for the Council's senior posts are discussed below.

Remuneration of senior posts

- 4.11 The pay scale for the Chief Executive and Head of Paid Service consists of five incremental points. Progression through the scale is usually on an annual basis that takes effect on 1 April each year.
- 4.12 The pay scale for the Council's Strategic Directors consists of four incremental points. Progression through the scale is usually on an annual basis that takes effect on 1 April each year.
- 4.13 This scale has a bar beyond which further progression is subject to the post holder meeting stated performance criteria.
- 4.14 Details of actual senior officer remuneration are included in the Council's Annual Statement of Accounts (Note 28).
- 4.15 The last national pay award for senior officers was effective from 1 April 2023.

Local Government Pension Scheme (LGPS)

- 4.16 Membership of the Local Government Pension Scheme is subject to the rules of the scheme and contribution rates are set by legislation. When individuals are already in receipt of a local government pension they are subject to the rules on abatement of pension within the scheme.

Pay awards

- 4.17 The salaries of senior posts are increased in line with any national pay award agreed by either the Joint National Council for Chief Executives or the Joint National Council for Chief Officers whichever is appropriate. Any changes are normally implemented with effective from 1 April each year.

Overtime and other payments.

- 4.18 There are no other additional elements of remuneration in respect of overtime, flexitime, bank holiday working, standby payments paid to senior posts as they are expected to undertake duties outside their contractual hours and working patterns without additional payment.

Remuneration of senior posts on recruitment

- 4.19 The Council's practice is that any newly appointed senior officer will start at the lowest pay point in the pay range for their job, other than when the particular skills and experience of the successful candidate merit a higher starting salary.
- 4.20 In line with the Council's procedure for Senior Officer Appointments the recruitment of a Chief Executive must be approved by Full Council.

5.0 EMPLOYEES IN POSTS BELOW A STRATEGIC DIRECTOR

Key Principles

- 5.1 The Council aims to provide fair and equitable remuneration arrangements which enable it to recruit, retain, motivate and develop staff with the skills and capabilities to ensure the continued provision of high quality services that are cost effective and provide value for money.
- 5.2 The Council's employment policies comply with the provisions of the Equality Act 2010, which includes equal pay, and other relevant employment legislation.
- 5.3 Currently an employee's pay is based on either a pay scale, through which employees may progress until the top of the scale is reached, or a fixed salary point. In some cases, progression through a grade is dependent upon specified criteria (e.g. the attainment of a qualification). The Council's pay structure is based on the national pay spine, as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service. The national pay spine has been amended with effect from 1 April 2023 and the Council's pay structure has been amended to reflect this. This structure has been subject to Equal Pay Audits.
- 5.4 The Council reviewed its pay and grading structure for the posts below Strategic Director Level in 2018, which included undertaking a job evaluation exercise. This was carried out by an external independent consultant in conjunction with the recognised Trade Unions and members of the Leadership Team. A revised pay and grading structure, for posts below Director level was implemented with effect from 1st April 2019.

National Conditions of Service

- 5.5 The employment terms and conditions of service for most of the Council's employees below Strategic Director/Chief Officer level are those of the National Joint Council (NJC) for Local Government Services as amended and/or supplemented by any local agreements with the Council. Any annual pay award is agreed by this NJC and is usually effective on 1 April each year.
- 5.6 A small number of craft employees (Joiners, Bricklayers, Plumbers and Plasterers) have their conditions of service determined by the Joint Negotiating Committee (JNC) for Local Authority Craft & Associated Employees. During 2022/2023 changes were made to the grading structure for craft employees and a new development scheme is in place which allows incremental progression. Grades have been aligned with the existing NJC grades.
- 5.7 As a result of a TUPE transfer of staff in April 2018, the Council has a small number of employees on terms and conditions of employment that are outside of national conditions of service but that are protected under the terms of the TUPE regulations and existing employment law.

Definition of lowest paid employees

- 5.8 The definition of the "lowest-paid employees" for the purposes of this Pay Policy Statement is those full-time employees who are paid on Grade Two spinal column point 3.
- 5.9 The current annual full-time equivalent value of this pay level, based on a 37-hour standard working week, is £22,737 per annum (last pay award 1st April 2023). This equates to an hourly rate of £11.78 which is above the National Living Wage of £11.44 per hour that is effective from 1 April 2024.

Remuneration of lowest paid employees

- 5.10 For the purposes of this Statement, remuneration includes the employee's basic annual salary and any allowances or other similar payments, benefits in kind, any increases or enhancements to any pension entitlement and any termination or other severance payments.

The Council's Monitoring Officer

- 5.11 The statutory role of Monitoring Officer had been assigned to the Head of Legal and Democratic Services. Remuneration for this additional statutory responsibility is included within the substantive grade for the post.

Modern Apprentices

- 5.12 The Council employs Modern Apprenticeships in line with the national scheme. Apprentices are paid on rates that reflect the particular nature of their role, take account of the development nature of their employment, the need to undertake vocational training and obtain different job related skills and experience. The rates paid are above the National Living Wage.

Other elements of remuneration

- 5.13 Other elements of remuneration which the Council can pay to its employees is set out in the table in Appendix One. The element of remuneration offered depends on the job role and any job-related requirements e.g. to have a relevant qualification or travelling in order to perform the duties of the job.

6.0 PAY RELATIONSHIPS

- 6.1 The Council recognises that the principle of fair pay is important to the provision of high quality and well-managed services and is committed to ensuring fairness and equity in its remuneration practices. The Council's pay policies, processes and procedures are designed to ensure that pay levels are appropriately aligned with, and properly reflect, the relative demands and responsibilities of each post, together with the knowledge, skills and capabilities necessary to ensure that the post's duties are undertaken to the required standard. This includes ensuring that there is an appropriate relationship between the pay levels of its senior managers and of all other employees.

Pay differences - senior posts

- 6.2 The pay differential from the senior posts has been set following research undertaken on behalf of the Council by the LGA, an independent organisation and subsequently approved by the Council's Finance and Management Committee.

Pay multiples

- 6.3 A "pay multiple" is the ratio between the highest paid salary and median average salary of the whole of the Council's workforce. On this basis, the current pay multiple is **1:4.72** (2023/24 – 1:5.11). This is based on the median basic salary for the whole workforce of £29,777 (£26,845 in 2023/24).
- 6.4 The pay multiple between the basic salary and allowances of its highest paid employee and the lowest paid employees, as defined in this Statement is **1:6.24** (2023/24 – 1:6.66).

7.0 DECISIONS ON PAY

7.1 The Council recognises the importance of ensuring openness and transparency and high standards of corporate governance, with clear lines of accountability, in its pay decision-making processes and procedures. Any pay-related decisions must be capable of public scrutiny, be able to demonstrate proper and appropriate use of public funds and ensure value for money. The arrangements adopted by the Council are designed to reflect these requirements, as well as ensuring compliance with all relevant legislation and other statutory regulation.

7.2 When the need arises for the Council to appoint a Chief Executive and Head of Paid Service or Director, the Council will comply with its Senior Officer Appointment Procedure. This includes the appointment of a Recruitment and Selection Panel of Elected Members.

7.3 The authority to delegate the appointment to a Recruitment and Selection Panel is sought in the case of:

- Head of Paid Service: From Full Council.
- Strategic Director: From the Finance and Management Committee.

7.4 The appointment of the Chief Executive (Head of Paid Service) will require a decision by Full Council.

7.5 Appointments below Strategic Director are made by a panel of appropriate managers.

8.0 AMENDMENTS TO THIS PAY POLICY STATEMENT

8.1 This Pay Policy Statement relates to the financial year 2024/2025.

8.2 The Council may agree any amendments to this Statement during the financial year to which it relates.

9.0 PUBLICATION OF AND ACCESS TO INFORMATION

9.1 This Pay Policy Statement will be published on the Council's website after it has been approved by Full Council. Any subsequent amendments made during the financial year will also be similarly published.

9.2 For further information about this Statement please contact Tracy Bingham, Strategic Director (Section 151 Officer) – Corporate Resources by email tracy.bingham@southderbyshire.gov.uk or email Human Resources at hr@southderbyshire.gov.uk

Appendix One

OTHER PAYMENTS AND ALLOWANCES

The Council operates a transparent pay structure that reflects the relevant duties and responsibilities of each post. The Council recognises that it must pay other payments and allowances to certain individuals or groups of employees to reflect their duties or to attract and/or retain employees. Any payments or allowances are open to all employees. The Council considers this to be justified on the basis to maintain services for the District demands a properly resourced and skilled workforce.

Pay progression

For most posts on pay scales incremental progression through each scale will be applied on the 1 April each year. Employees with less than six months service in the scale by April will be granted their first increment six months after their appointment, promotion, or re-grading. The exception would be where an employee's salary on the 1 April following, promotion or re-grading would be less than one spinal column point in excess of the salary they would have received on that day in their old scale with the Council; in which case they shall be entitled to their first increment on the 1 April.

There are some posts that have a bar that prevents incremental progression through the scale. To go beyond the bar the post holder must satisfy certain criteria (e.g. the attainment of specified competencies or the attainment of a required qualification).

Market supplements

The Council recognises that pressures in the labour market can mean that pay levels for a particular type of job or profession can be such that the Council's normal pay level would not be competitive to enable it to recruit or retain an employee in that function. In that case, the Council would consider the application of a market supplement.

At the present time a retention bonus is in place within Operational Services which is applicable to a small number of specified positions.

Local Government Pension Scheme (LGPS)

There are a number of discretions available under the Local Government Pension Scheme which is applicable to all employees. The details of these can be seen in the Council's published Policy Statement on Pensions Discretions.

These discretions were reviewed in 2019, to take into consideration the changes in the Local Government Pension Scheme and which were approved by Finance and Management Committee on 25 April 2019.

The Council also has policies on Flexible Retirement, Redundancy, Voluntary Redundancy and Retirement on Efficient Exercise Grounds.

Employees who are members pay a contribution to the LGPS which is based on their annual full-time equivalent pensionable pay (including pensionable allowances). Contribution rates are nationally set and currently range from 5.5% and 12.5%.

The Council's contribution towards the pension scheme for the year 2024/2025 is 20.3% of an individual's pensionable pay. In addition, the Council will make a lump sum payment during the year towards the past service deficit on the current Pension Fund. This is estimated at approximately £174,000 for 2024/2025.

Payments on termination of employment

The Council's approach to the termination of employment of Senior Officers (and all other employees) is set out in:

- The discretions the Council has adopted under the regulations of the Local Government Pension Scheme.
- Its policies on Flexible Retirement, Redundancy, Voluntary Redundancy and Retirement on Efficient Exercise Grounds.

All payment/costs arising from the application of the above must be approved beforehand by the Council's Finance and Management Committee.

Removal/relocation expenses

Where employees need to move house in order to take up an appointment with the Council, the Council will reimburse their removal, legal and other associated relocation costs in accordance with its Relocation Policy. The policy requires repayment in full if the employee leaves within two years of appointment.

Additional responsibility payments

Where employees are required to undertake additional responsibilities for a temporary period of time, they may receive an additional payment in recognition of these. This policy does not apply to Strategic Directors and above.

Mileage payments

Specific posts identified by the Council attract a Car Allowance. These are paid in accordance with nationally agreed rates set by the NJC for Local Government Services. They are:

	451 to 999cc	1000 to 1199cc	1200 to 1450cc
Essential Users			
Lump sum per annum	£846	£963	£1,239
Per mile first 8,500	36.9p	40.9p	50.5p
Per mile after 8,500	13.7p	14.4p	16.4p

Casual Users			
Per mile first 8,500	46.9p	52.2p	65.0p
Per mile after 8,500	13.7p	14.4p	16.4p

The above rates are current at 1st April 2024 but may be subject to change during the period of this Pay Policy Statement as a result of changes made by the NJC for Local Government Services.

Professional Subscriptions

The Council pays one professional subscription in relation to specific posts. This applies where it is a requirement of the post for the employee to be a member of a professional body and it is a payment of the annual membership only.

Reimbursement of Subsistence or Other Expenses

In accordance with the requirements of the National Conditions of Service set by the NJC for Local Government Services, the Council makes provision for the reimbursement, up to a maximum specified limit, of approved expenses by employees. Actual expenditure only can be claimed and the current maximum amounts claimable are as follows:

Minimum time away from normal workplace or home outside of normal working hours	Maximum Allowance
5 hours	£5.00
10 hours	£10.00
15 hours (and ongoing at 8pm)	£25.00

Car Parking: Fee incurred

Certain conditions must be met for approval of reimbursement of the above expenses.

Mobile telephones

Mobile telephones are provided to employees when necessary for them to undertake their duties effectively and safely. The Council pays the cost of line rental, and business calls. Employees are required to pay for any personal use.

Landline telephones

A scheme of reimbursement applies to certain officers who are required to have a landline installed, in particular those officers who are listed in the Council's Emergency Plan.

Election fees

The Head of Legal and Democratic Services receives fee payments pursuant to their appointment as Returning Officer for elections and referendums . The fees paid vary according to the type of election, the size of the electorate and the number of postal voters.

Fee payments for national, referenda and other elections are set by central government and are, in effect, not paid by the Council, as the fees are reclaimed. Separate payments are made to the Deputy Returning Officer(s) and other members of staff who work as part of the elections team and are commensurate with time spent undertaking election duties.

Payments for additional working

The NJC Conditions of Service make provision for employees graded up to spinal column point 22 (currently £31,364 per annum) who undertake work outside of normal working hours, to receive appropriate overtime payments. Those above point 22 are permitted to take time off in lieu for any agreed additional hours worked. This provision is not available to senior posts whose Conditions of Service are determined by the JNC for Chief Executives or Chief Officers.

REPORT TO:	COUNCIL	AGENDA ITEM: 12
DATE OF MEETING:	11 APRIL 2024	CATEGORY: RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN:
MEMBERS' CONTACT POINT:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	DOC:
SUBJECT:	HOUSING CONSUMER STANDARDS	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Regulator for Social Housing is advised of the outcome of the Council's self-assessment against the Housing Consumer Standards.
- 1.2 That the Council makes a self-referral for non-compliance with the Housing Consumer Standards, along with the request of a 12-month extension to meet the required standards.
- 1.3 That Council approve the formation, and appointment of Member representatives, to a Housing Services Working Group and approve the Terms of Reference of that Group (Appendix 1).
- 1.4 That the Performance Improvement Plan agreed by the Housing Services Working Group is reported to the Housing and Community Services Committee, with regular updates on progression of the Plan.

2.0 Purpose of the Report

- 2.1 To inform Members of the outcome of the Housing Service Review of the new Housing Consumer Standards for social housing effective from the 1 April 2024 and the Council's self-referral to the Regulator for Social Housing (RSH).
- 2.2 To establish a working group to oversee the delivery of a Performance Improvement Plan (PIP) to meet the consumer standards, and for Members to appoint representatives to the Housing Services Working Group (HSWG).

3.0 Executive Summary

- 3.1 This report outlines the outcome of the self-assessment used to demonstrate compliance with all the new Consumer Standards for Social Housing effective from 1 April 2024. The report recommends that a self-referral be made to the RSH along with a request for a 12-month extension for the Housing Service to meet the new standards.

3.2 The report also seeks agreement to establish a Housing Services Working Group to agree and oversee a Performance Improvement Plan for the Housing Service to meet all the new consumer standards.

4.0 **Detail**

4.1 The Social Housing White Paper, 'The Charter for Social Housing Residents' was published in November 2020, and after consultation was followed by the Social Housing (Regulations) Act 2023, being agreed. The new framework (the Act) established for social housing includes:

- New building safety regime,
- Strengthened role for the Regulator on safety,
- Increase powers for the Housing Ombudsman,
- New standards on professionalism, and
- The introduction of tenant satisfaction measures requiring the collection and provision of information to support the effective scrutiny by tenants of their landlord's performance in managing their homes and neighbourhoods.

4.2 A fundamental part of the new regulatory framework is a revised set of Consumer Standards setting out the requirements that registered providers such as the Housing Service must meet. The four areas of the standard cover the following:

- The Safety and Quality Homes Standard,
- The Transparency, Influence, and Accountability Standard,
- The Neighbourhood and Community Standard,
- The Tenancy Standard.

4.3 The areas covered by the new standards include:

- Quality of the Stock,
- Decency,
- Health & Safety,
- Tenant Engagement,
- Repairs, Maintenance and Planned Improvements,
- Damp, Mould and Condensation,
- Taking the Lead,
- Transparency, Influence and Accountability,
- Neighbourhood and Community, and
- Tenancy Standards, Allocations and Lettings.

Each of these areas has been used by the Housing Service to undertake a self-assessment against the new standards to identify any gaps and/or issues that need to be addressed.

4.4 The self-assessment demonstrates the Housing Service have not be able to meet all the requirements of the new Consumer Standards by their effective date of 1 April 2024. This predominantly arises from not having up to date stock condition surveys, making it difficult to determine the current condition and safety of the stock on a property-by-property basis. In addition, tenant engagement activities have decreased, and tenants are not as involved in the Council's landlord responsibilities, and associated management of its council housing.

- 4.5 The RSH require registered providers to communicate in a timely manner with them on all material issues that relate to non-compliance with the Housing Consumer Standards. Being open and transparent with the RSH is an essential part of a registered provider meeting their co-regulatory responsibilities. As a result, it is recommended that the Council approaches the RSH to confirm the position and make a self-referral for non-compliance with the required standards.
- 4.6 It is imperative the Housing Service can demonstrate the standards will be achieved within the timescales agreed with the Regulator for Social Housing and incorporated into the PIP. Once finalised, the PIP will be reported to the Housing and Community Services Committee on 23 April 2024.
- 4.7 It is recommended that a Housing Services Working Group be set up to agree and oversee the delivery of the Performance Improvement Plan. Member representation on the Group will be in line with the Council's political proportionality and nominations are sought from 3 Members of the Labour Group and 2 Members of the Conservative Group. The Group will be chaired by Chair of the Housing and Community Services Committee. Officers of the HSWG will include the Chief Executive, Strategic Director (Service Delivery), Head of Housing, the Council's Health and Safety Officer, other officers as required by expertise, as well as tenant representatives.

5.0 Financial Implications

- 5.1 There are no direct financial implications arising from this report, however actions required to meet compliance are likely to result in additional financial pressures for the Housing Revenue Account.
- 5.2 Financial assessment will be undertaken as part of the Performance Improvement Plan, which will be reported to the Housing and Community Services Committee. Should additional financial pressures not be manageable within the existing in-year budget as approved by Council on 28 February 2024, requests will be managed through the Finance and Management Committee and Council as necessary and in line with the Council's Constitution.

6.0 Corporate Implications

Employment Implications

There are no direct employment implications contained within this report.

Legal Implications

The Council has a duty to comply with the Consumer Standards for Social Housing. Non-compliance may result in the Council being found in breach of the Standards and served with a Regulatory Notice.

Corporate Plan Implications

The report has a direct impact on the Council's Corporate Plan in relation to providing access to affordable housing.

Risk Impact

This report directly impacts the risk SD3 in the Service Delivery Risk Register - safety standards failure to comply with basic safety standards in flats/blocks with communal areas.

7.0 Community Impact

Consultation

In order to meet the requirements of the Council as a landlord of social housing, the Housing Services Working Group will consult with tenants on the need, scope, content and time scales for the delivery of a Performance Improvement Plan.

Equality and Diversity Impact

The Housing Regulator has completed its own Equality Impact Assessment as part of the consultation process. That assessment concluded that “We have rigorously considered equality considerations and relevant evidence throughout the development of the proposed consumer standards. Where we have identified aspects of the current standards that might benefit from being strengthened or amended to address any potential negative equality impact, or where we have identified an opportunity to create a positive equality impact through our proposed standards, we have taken the opportunity to do so. Because of this approach, we have not identified any potential negative equality impact at this point.”

The Tenant Involvement and Empowerment Standard sets expectations for the Council in providing choices, information and communication that is appropriate to the diverse needs of tenants.

Social Value Impact

The provision of accessible, safe housing offers a social value benefit to the community.

Environmental Sustainability

There are no direct environmental sustainability impacts within this report.

8.0 Conclusions

- 8.1 Completion of the self-assessment has established that the Housing Service will not be able to meet all the requirements of the new Social Housing Consumer Standards effective from 1 April 2024.
- 8.2 The RSH requires registered providers to communicate in a timely manner with them on all material issues that relate to non-compliance, therefore the Council need to approach the RSH to make a self-referral for non-compliance seeking an extension of time to achieve compliance with the Housing Consumer Standards.
- 8.3 Compliance with the RSH Consumer Standards is a priority and a Performance Improvement Plan needs to be produced and delivery overseen by a Housing Service Working Group.

9.0 Background Papers

Report to Housing and Community Services Committee on 28th January 2021 –
Housing White Paper

Housing and Community Services Committee, 16th November 2023 – Regulator of
Social Housing – Proposed Consumer Standards

Appendix 1

Housing Service Working Group

Terms of Reference

Purpose

The Council establish a Housing Service Working Group to agree and oversee the delivery of a Performance Improvement Plan (PIP) for the achievement of compliance with the Regulator of Social Housing Consumer Standards which came into effect on the 1 April 2024.

Aims & Objectives

The aims and objectives of the working Group are to:

- Agree the content, scope and timescales of the PIP with the Regulator for Social Housing,
- Take account of the outcome of the Tenant Satisfaction Measures and establish mechanisms for ongoing tenant consultation on the need for, content and delivery of the PIP, and
- Provide regular progress reports on the delivery of the PIP to meetings of the Housing and Community Services Committee until compliance is achieved.

Membership

- Elected Members (5) (Chair of Housing and Community Services to Chair Group)
- Chief Executive
- Strategic Director (Service Delivery)
- Head of Housing
- Council's Health & Safety Officer
- Officers (as required by expertise)
- Tenant Representatives – Up to a maximum of three

To ensure tenant engagement, tenant representatives will be canvassed and invited to participate in the Working Group.

Quorum

The quorum for the Working Group will be 3 Elected Members and 1 member of the Council's Leadership Team.

Record of Meetings

Meetings will be subject to formal agendas and minutes. The agenda will be circulated at least one week in advance of each meeting and minutes circulated no later than one week after each meeting.

Duties

The Working Group will be chaired by the Chair of the Housing and Community Services Committee and supported by the Chief Executive. The Strategic Director (Service Delivery) will be responsible for the coordination of the meetings, the circulation of minutes and agendas and the progression of any actions and/or decisions taken.

Reporting

The Working Group will provide update reports to meetings of the Housing & Community Services Committee.

Agenda Items

Agenda items will be a standing item for agreement at each meeting of the Working Group and captured and included on a future work programme for the Working Group.

REPORT TO:	COUNCIL	AGENDA ITEM: 13
DATE OF MEETING:	11 APRIL 2024	CATEGORY: DELEGATED
REPORT FROM:	HEAD OF LEGAL & DEMOCRATIC SERVICES	OPEN
MEMBERS' CONTACT POINT:	ARDIP SANDHU (ext.5715) ardip.sandhu@southderbyshire.gov.uk	DOC:
SUBJECT:	DRAFT CYCLE OF MEETINGS 2024-25	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 That Planning Committee meetings be held on a 3 weekly cycle for 6 months and then revert back to the 4 weekly cycle as approved by Environmental and Services Committee.
- 1.2 That the Cycle of Meetings for 2023/24 be approved.

2.0 Purpose of Report/Detail

- 2.1 Following approval by Environmental and Democratic Services Committee that Planning Committees were to be held on a 4 weekly cycle it is proposed that a 3 weekly cycle be put in place for a 6 month period to clear the planning application backlog.
- 2.2 To consider the cycle of Meetings for 2023/24 attached at **Appendix A**.

3.0 Financial Implications

- 3.1 None.

4.0 Corporate Implications

- 4.1 None.

5.0 Community Implications

- 5.1 None.

6.0 Background Papers

- 6.1 None.

COMMITTEE AND COUNCIL MEETINGS 2024-25

Committee	Day	Date
ANNUAL COUNCIL	Thursday	16.05.24
CIVIC COUNCIL	Thursday	23.05.24
Planning	Tuesday	28.05.24
Environmental & Development Services	Thursday	30.05.24
Housing & Community Services	Thursday	06.06.24
Overview & Scrutiny	Wednesday	12.06.24
Planning	Tuesday	18.06.24
Audit Sub-Committee	Wednesday	19.06.24
Finance & Management	Thursday	20.06.24
COUNCIL	Thursday	27.06.24
Etwall JMC	Wednesday	03.07.24
Planning	Tuesday	09.07.24
Planning	Tuesday	30.07.24
Environmental & Development Services	Thursday	08.08.24
Housing & Community Services	Thursday	15.08.24
Planning	Tuesday	20.08.24
Overview & Scrutiny	Wednesday	28.08.24
Audit Sub-Committee	Wednesday	04.09.24
Finance & Management	Thursday	05.09.24
Planning	Tuesday	10.09.24
COUNCIL	Thursday	12.09.24
Environmental & Development Services	Thursday	19.09.24
Etwall JMC	Wednesday	25.09.24
Housing & Community Services	Thursday	26.09.24
Planning	Tuesday	01.10.24
Finance & Management	Thursday	03.10.24
Overview & Scrutiny	Wednesday	09.10.24
Audit Sub-Committee (Special - Accounts) –	Wednesday	16.10.24
Planning	Tuesday	22.10.24
COUNCIL	Thursday	31.10.24
Environmental & Development Services	Thursday	07.11.24
Planning	Tuesday	12.11.24
Housing & Community Services	Thursday	14.11.24
Overview & Scrutiny	Wednesday	20.11.24
Finance & Management	Thursday	21.11.24
Audit Sub-Committee	Wednesday	04.12.24
Planning	Tuesday	10.12.24
Environmental & Development Services (Special - Budget)	Thursday	02.01.25
Housing & Community Services (Special – Budget)	Monday	06.01.25
Planning	Tuesday	07.01.25
Etwall JMC	Wednesday	08.01.25
Finance & Management (Special – Budget)	Thursday	09.01.25
Overview & Scrutiny	Wednesday	15.01.25

COMMITTEE AND COUNCIL MEETINGS 2024-25

COUNCIL	Thursday	16.01.25
Environmental & Development Services	Thursday	23.01.25
Housing & Community Services	Thursday	30.01.25
Planning	Tuesday	04.02.25
Overview & Scrutiny	Wednesday	05.02.25
Finance & Management	Thursday	06.02.25
COUNCIL	Thursday	27.02.25
Planning	Tuesday	04.03.25
Audit Sub-Committee	Wednesday	05.03.25
Environmental & Development Services	Thursday	06.03.25
Housing & Community Services	Thursday	13.03.25
Finance & Management	Thursday	20.03.25
Planning	Tuesday	01.04.25
Overview & Scrutiny	Wednesday	09.04.25
COUNCIL	Thursday	10.04.25
Environmental & Development Services	Thursday	17.04.25
Housing & Community Services	Tuesday	22.04.25
Finance & Management	Thursday	24.04.25
Planning Committee	Tuesday	29.04.25
Etwall JMC	Wednesday	30.04.25
ANNUAL COUNCIL	Thursday	15.05.25
CIVIC COUNCIL	Thursday	22.05.25

COMMITTEE AND COUNCIL MEETINGS 2024-25

DRAFT

HOUSING & COMMUNITY SERVICES COMMITTEE

01 FEBRUARY 2024

OPEN

PRESENT:

Labour Group

Councillor G Rhind (Chair) and Councillor M Mulgrew (Vice-Chair) and Councillors, S Harrison, A Haynes, J Jackson, D Pegg, D Shepherd. S Taylor (substitute for Cllr A Archer) and A Tilley.

Conservative Group

Councillors D Corbin, D Muller (substitute for Cllr Fitzpatrick) and J Lowe.

Liberal Democrats

Councillor J Davies.

In attendance

Councillor S Bambrick
Councillor M Gee
Councillor A Wheelton.

HCS/63 APOLOGIES

The Committee was informed that apologies had been received from Councillor A Archer (Labour Group) Councillor M Fitzpatrick (Conservative Group).

HCS/64 OPEN MINUTES

The Open Minutes of the Meetings held on 07 January 2020, 17 August 2023, 28 September 2023 and 16 November were approved as a true record and signed by the Chair of the Committee.

HCS/65 DECLARATIONS OF INTEREST

The Committee noted that no Declarations of Interest had been received.

HCS/66 QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10

The Committee was informed that no questions from Members of the Public had been received.

HCS/67 QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE**HCS/68 ACTIVE SCHOOLS PARTNERSHIP (SDASP) POOLS TO SCHOOLS SWIMMING PROGRAMME**

The Head of Cultural and Community Services presented the report to the Committee highlighting the key aspects of the report and the benefits for schools.

Members commended the report and noted the fantastic opportunity to get schools involved in the provision of swimming programmes.

Councillor A Tilley sought clarity regarding the impact on Greenbank Leisure Centre.

The Head of Cultural and Community Services informed the Committee that the programme would allow for greater community access to leisure centres and enable leisure centres to work with other schools outside of the District.

RESOLVED:

- 1.1 That the Committee approved the delivery of the South Derbyshire Active Schools Swimming Programme in partnership with Elite Swimming 'Pools to Schools' programme.**
- 1.2 That the Committee approved the funding of the project through the Active Schools Partnerships earmarked reserves.**
- 1.3 That the Committee approved that the Strategic Director (Service Delivery) had authority to allow purchase of extra swimming pool units through Elite swimming and authority to allow the recruitment of staff to deliver the programme in relation to ongoing service demand.**

HCS/69 BEAT THE STREET

The Head of Cultural and Community Services presented the report to the Committee noting the expansion of the programme following the success of last year's event.

Members considered the report and supported the officer's recommendations.

Councillor Corbin sought clarity regarding the inclusion of Shardlow Primary and Chellaston Fields Spencer Academy which were both now part of South Derbyshire.

The Head of Cultural and Community Services confirmed that both schools could be added to the programme.

RESOLVED:

1.1 The Committee approved the financial contribution from earmarked reserves to fund the 12-month physical activity and active travel intervention project Beat the Street across the whole district.

HCS/70 **REVIEW OF THE SOUTH DERBYSHIRE DISTRICT COUNCIL SURVEILLANCE POLICY**

The Head of Cultural and Community Services addressed the Committee and presented the report noting how it was part of the regular policy review.

The Committee considered the report and supported the officer's recommendation.

RESOLVED:

1.1 That the Committee approved the changes made to the South Derbyshire District Council Surveillance Policy, attached as Appendix 1 to the report, as part of the scheduled review of the document.

HCS/71 **REVITALISING ROSLISTON FORESTRY CENTRE UPDATE**

The Head of Cultural and Community Services presented the report with an update following on from the consultation feedback.

Members commended the report and the activities that took place at the centre and raised queries regarding the use of the bungalow, the opportunities to engage with men and help promote male mental health awareness.

The Head of Cultural and Community Services informed the Committee that the bungalow was being considered for conversion into an eco-house to demonstrate how to live sustainably. The Head of Cultural and Community Services acknowledged that it would be a good opportunity to promote the site as a good place to help with male mental health and ways to reach that demographic would be considered.

Members discussed the values of the site and noted how it was seen as the jewel in the crown of South Derbyshire.

RESOLVED:

1.1 That the Committee approved the current operating model for Rosliston Forestry Centre.

1.2 That the Committee approved the Revitalising Rosliston project plan as outlined within the report.

HCS/72 REVIEW OF TENANCY STRATEGY & TENANCY POLICY

The Interim Head of Housing addressed the Committee and presented the report.

Members considered the report and supported the officer's recommendation.

RESOLVED:

1.1 That the Committee approved the draft Tenancy Strategy 2023 and Tenancy Policy 2023 which had been through the consultation process as set out in point 7.0 of the report to Committee on 16 November 2023.

HCS/73 COUNCIL HOUSING RENTS INCREASE 2024/25

The Strategic Director (Corporate Resources) presented the report to the Committee and sought approval of the proposed rent increase.

Councillor Corbin suggested an alternative rent increase and raised concern regarding the loss of income from voids.

Councillor Taylor noted the Committee's duty to ensure that the Housing Revenue Account was sound and confirmed that the void's situation was in hand and being dealt with via separate reports.

RESOLVED:

1.1 That the Committee considered and approved a 7.7% increase in Council housing rents for 2024/25.

HCS/74 TREE SERVICE BUDGET

The Head of Cultural and Community Services presented the report to the Committee and noted the importance of an adequate budget to manage the tree stock.

Members considered the report and supported the officer's recommendation.

RESOLVED:

- 1.1 The Committee approved the budget outlined in the report to ensure good tree management and reduced potential risks to the Council.**

HCS/75 COMMITTEE WORK PROGRAMME

The work programme was presented to the Committee.

RESOLVED:

- 1.1 The Committee considered and approved the updated work programme.**

HCS/76 LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)

The Chairman may therefore move:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT MINUTES

The Exempt Minutes of the Meeting/s held on 17 August 2023, 29 September 2023 and 16 November 2023 were received.

ANY EXEMPT QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

HOUSING SERVICES – REPAIRS AND MAINTENANCE CONTRACT
RESOLVED:

That the Committee approved the recommendations in the report.

BEVIN BOYS MINERS MEMORIAL GARDEN UPDATE
RESOLVED:

That the Committee approved the recommendations in the report.

GRANT FROM POLICE AND CRIME COMMISSIONER FOR ANTI-SOCIAL BEHAVIOUR PATROLS

RESOLVED:

That the Committee approved the recommendations in the report.

CULTURAL AND COMMUNITIES SERVICE STAFFING BUDGET

RESOLVED:

That the Committee approved the recommendations in the report.

ROSLISTON FORESTRY CENTRE STAFFING BUDGET

RESOLVED:

That the Committee approved the recommendations in the report.

HOUSING SOLUTIONS STAFFING

RESOLVED:

That the Committee approved the recommendations in the report.

The meeting terminated at 19:15 hours.

COUNCILLOR G RHIND

CHAIR

FINANCE AND MANAGEMENT COMMITTEE

15 February 2024

PRESENT:

Labour Group

Councillor R Pearson (Chair), Councillor L Singh (Vice-Chair) and Councillors S Harrison, A Haynes (substituting for Councillor B Stuart), G Rhind, M Mulgrew and S Taylor.

Conservative Group

Councillors D Corbin, M Fitzpatrick and P Watson (substituting for Councillor S Meghani).

Liberal Democrats

Councillor G Andrew.

In Attendance

Councillor N Atkin
Councillor A Tilley
Councillor A Wheelton

FM/91 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors B Stuart and N Tilley (Labour Group) and Councillors M Ford and S Meghani (Conservative Group).

FM/92 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETING:**

The Open Minutes of the Finance and Management Committee meetings held on 09 January 2020 and 23 November 2023 were noted and approved as a true record and signed by the Chair. The Open Minutes of the Audit Sub-Committee held on 06 December 2023 were received.

FM/93 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of personal interest had been received.

FM/94 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/95 QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no questions from members of the council had been received.

FM/96 REPORTS OF OVERVIEW AND SCRUTINY

The Committee was informed that no reports from the Overview and Scrutiny Committee had been received.

FM/97 PROPOSED CONTINUATION OF BANDED COUNCIL TAX REDUCTION SCHEME FOR 2024 -2025

The Head of Customer Services presented the report to the Committee and sought approval of the recommendations, including that a forthcoming review would be undertaken.

Members considered the report and supported the officer's recommendations.

RESOLVED:

1.1 *The Committee supported the continuation of a banded Council Tax Reduction Scheme for working age recipients for 2024/2025, as well as other changes proposed, including:*

- ***Uprating to the applicable amounts in line with the prescribed scheme but with the exception of non-dependent deduction for working age which was to remain at £5.00 for 2024/2025 year for all cases.***
- ***Adopt any other changes within the prescribed scheme in accordance with the statutory instrument due to be published in January 2024.***
- ***Undertake a review of the current Council Tax Reduction Scheme in 2024 to allow time to implement any potential changes for the 2025/2026 scheme following consultation.***
- ***Continue current funding of £20,000 for hardship cases.***

FM/98 COMMENTS, COMPLIMENTS, COMPLAINTS AND FREEDOM OF INFORMATION REQUESTS 1 APRIL 2023 TO 30 SEPTEMBER 2023

The Head of Customer Services presented the report to the Committee and outlined the key changes going forward that would assist to improve the position regarding complaints received.

Members raised concerns regarding the increase in the number of complaints and sought clarity regarding types of complaints received.

The Head of Customer Services informed the Committee that work is underway to enhance complaints reporting, and trends within service areas would be included in future reports alongside further comprehensive data analysis.

RESOLVED:

1.1 The Committee considered and noted the comments, compliments, complaints, and FOI requests, as detailed in the report.

FM/99

CONSOLIDATED BUDGET REPORT 2024-25 AND MEDIUM-TERM FINANCIAL PLAN TO 2028-29

The Strategic Director (Corporate Resources) presented the report to the Committee and noted that there were no changes following the consultation period which had included an added feature of online consultation.

Members commended the report and discussed the officer's recommendations. Councillor D Corbin raised concern regarding the level of consultation.

The Strategic Director (Corporate Resources) informed the Committee that the consultation with the public was discretionary but it had gone above and beyond that of other councils and had included areas that residents were concerned about such as rents and Council Tax.

Councillor Fitzpatrick raised queries regarding the sustainability of the budget in light of being asked to approve the 5 year position which utilised future reserves.

The Chair addressed the Committee and noted how the introduction of the financial workshops had allowed all Members to be involved with the Medium Term Financial Strategy and input into how to achieve budget sustainability.

The Strategic Director (Corporate Resources) explained that the statutory budget was set for one year and the Medium-Term Financial Plan was presented for information only, not approval. The forthcoming Medium Term Financial Strategy would set out how the Council will deliver an ongoing balanced position.

RESOLVED:

1.1 That the Committee:

1.1.1 Noted the Section 151 Officer's statement on the robustness of budgetary estimates and the adequacy of reserves as set out in section 14 of the report.

1.1.2 Recommended to Council an increase in Council Tax by the maximum referendum limit of 2.99% from the options set out in section 6 of the report.

- 1.1.3** *Following approval of 1.1.1 and 1.1.2 recommended to Council the General Fund Revenue Budget for 2024/25, subject to any final adjustments as may be required for Council, as set out in Appendix 1 to the report.*
- 1.1.4** *Recommended that Council approves the Housing Revenue Account budget for 2024/25 as detailed in Appendix 3 to the report, and following resolution of the Housing and Community Services Committee at its meeting on 1 February 2024 in respect of the council housing rent increase for 2024/25 of 7.7%.*
- 1.1.5** *Recommended that Council approves the proposed fees and charges as detailed in Appendix 5 to the report.*
- 1.1.6** *Recommended that Council approves the Capital Programme of the General Fund and Housing Revenue Account for 2024/25, as set out in Appendix 6 to the report.*
- 1.1.7** *Noted the indicative Capital Programme for 2025/26 – 2028/29 and recommended that Council approves the Fleet Replacement budget for 2025/26 to allow for the effective ordering of replacement fleet due to long lead-in times.*

FM/100 **CAPITAL STRATEGY, TREASURY MANAGEMENT STRATEGY AND PRUDENTIAL INDICATORS**

The Head of Finance presented the report to the Committee outlining the key points within the report.

Members commended the report and supported the officer's recommendations.

RESOLVED:

- 1.1** *The Committee recommended to Council the approval of the:*
 - 1.2.1** *Treasury Management Strategy (as per Appendix 1 of the report)*
 - 1.2.2** *Prudential Indicators (as per Appendix 2 of the report)*
 - 1.2.3** *Minimum Revenue Provision (MRP) Policy (as per Appendix 3 of the report)*
 - 1.2.4** *Capital Strategy (as per Appendix 4 of the report)*
 - 1.2.5** *Non-Treasury Investment Strategy (as per Appendix 5 of the report)*

FM/101 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report.

RESOLVED:

The Committee considered and approved the updated work programme.

FM/102 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE THE EXEMPT MINUTES OF THE FOLLOWING MEETING:

The Exempt Minutes of the Finance and Management Committee held on the 09 January 2020 and 23 November 2023 were received.

QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no questions had been received.

PREMISES IN NETHERSEAL

RESOLVED:

The Committee approved the recommendations of the report.

REVIEW OF COMMUNICATIONS TEAM – ORGANISATIONAL DEVELOPMENT AND PERFORMANCE SERVICE UNIT)

RESOLVED:

The Committee approved the recommendations of the report.

LEGAL AND DEMOCRATIC SERVICES STAFFING

RESOLVED:

The Committee approved the recommendations of the report.

CORPORATE RESOURCES DIRECTORATE RESOURCES

RESOLVED:

The Committee approved the recommendations of the report.

CHIEF EXECUTIVE MANAGEMENT STRUCTURE

RESOLVED:

The Committee approved the recommendations of the report.

The meeting terminated at 19:25 hours.

COUNCILLOR R PEARSON

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES
COMMITTEE

29 February 2024

OPEN

PRESENT:

Labour Group

Councillor S Taylor (Chair) and
Councillors S Harrison (substituting for Councillor J Jackson), I Hudson, V Redfern, D Shepherd (substituting for Councillor A Archer), B Stuart, A Tilley and N Tilley (substituting for Councillor K Storey).

Conservative Group

Councillors K Haines, J Lowe and P Watson.

Liberal Democrats

Councillor G Andrew

Non-Grouped

Councillor A Wheelton

In Attendance

EDS/80 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors K Storey, A Archer and J Jackson (Labour Group).

EDS/81 **MINUTES**

The Committee received the Open Minutes of the meeting held on 25 January 2024 and were signed by the Chair as a true record.

EDS/82 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

EDS/83 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from Members of the Public had been received.

EDS/84 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

EDS/85 **CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2023-24 QUARTER 3 – 1 APRIL TO 31 DECEMBER)**

The Strategic Director (Service Delivery) presented the report to the Committee highlighting that 11 of the 17 indicators for this Committee were on track and that Appendix B of the report referred to actions required for the six indicators that were not on track. The Strategic Director (Service Delivery) confirmed to the Committee that there were three updates to the Risk Register.

Members discussed the accuracy and calculations for the statistics provided for waste per household, raised concerns about XL bullies and requested clarity on the planning application figures.

The Strategic Director (Service Delivery) informed the Committee that the Office of National Statistics data had been used to calculate the tonnage of waste per household and that their response to the reduction of population was attributed to deaths due to Covid. The Strategic Director (Service Delivery) confirmed to the Committee that the statistics would improve with an increase in population from new housing or from a decrease in tonnage of waste per household and that measures were being looked and the New Plan would include new targets.

The Head of Environmental Services informed the Committee that issues with XL bullies would be actioned by the Police and that there had been no significant issues with this type of dog.

The Head of Planning provided clarity around the numbers of planning applications that had been determined within the statutory determination period and that a separate spreadsheet would be distributed to Members with the details of applications determined with an extension of time.

RESOLVED:

- 1.1 *The Committee approved progress against performance targets set out in the Corporate Plan 2020 - 2024.***
- 1.2 *The Committee reviewed the Risk Register for the Committee's services.***

EDS/86 **DRAFT STATEMENT OF COMMUNITY INVOLVEMENT**

The Head of Planning and Strategic Housing presented the report to the Committee highlighting that the new statement included changes to National policy and current legal requirements and that a consultation period was due to begin later in the year with responses brought to Committee before the Local Plan was consultation.

Members discussed signage for planning applications, notification of applications to Parish Councils, the list of consultees that would be contacted and if an explanation of the consultation would be provided to Parish Councils.

The Head of Planning and Strategic Housing informed the Committee that Parish Councils are given three weeks notice to respond to planning applications and that additional time can be given for a response if the planning application can still be determined within the eight week period. The Head of Planning and Strategic Housing confirmed that the Local Plan database included Parish Councils and statutory consultees for example Environmental Health.

The Chair requested that planning application notices be displayed appropriately.

Councillor Harrison supported the report and noted that schools would be consulted which would engage young people. Councillor Harrison offered to support the Planning team during the consultation period.

Councillor Hudson commended the report and noted that the Statement of Community Involvement would benefit Parish Councils and should be widely circulated.

Councillor Watson proposed that the consultation period be extended from six to eight weeks. The Committee approved the extension of the consultation period.

Councillor Andrew welcomed that the Head of Planning had provided a target date for the next stage of the Local Plan to be presented in September 2024, as he was keen that we record such targets and hold the organisation accountable to them.

RESOLVED:

1.1 The Committee approved the draft Statement of Community Involvement (SCI) at Appendix 1 of the report for consultation and an eight-week consultation period which would follow.

1.2 The Committee noted that following the consultation a report would be compiled to include: the comments made in response

to the consultation and the Council's response and proposed amendments to the Statement of Community Involvement.

EDS/87 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Service Delivery) presented the updated report to the Committee.

RESOLVED:

- 1.1 The Committee considered and approved the updated work programme, attached as Annexe A to the report.***

EDS/88 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT MINUTES

The Committee noted and approved the Open Minutes of the meetings held on 25 January 2024 that were signed by the Chair as a true record.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

The meeting terminated at 18:40hours.

COUNCILLOR S TAYLOR

CHAIR

PLANNING COMMITTEE

05 March 2024

PRESENT:

Labour Group

Councillor G Jones (Chair) and Councillor Shepherd (Vice-Chair)
Councillors J Carroll, M Gee, I Hudson, A Jones, L Mulgrew, and M Mulgrew
(substitute for Cllr K Storey).

Conservative Group

Councillors J Lowe (substitute for Cllr D Muller) A Kirke and K Haines.

Liberal Democrats

Councillor J Davies

Non-Grouped

Councillor A Wheelton.

In Attendance

Councillors G Andrew and A Tilley

PL/180 **APOLOGIES**

The Committee was informed apologies had been received from Councillor K Storey and Councillor D Muller (Conservative Group).

PL/181 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETINGS:**

The Open Minutes of Planning Committee meetings held on 23 January 2024 and 06 February 2024 were noted, approved as a true record and signed by the Chair.

PL/182 **DECLARATIONS OF INTEREST**

The Committee was informed that declarations of personal interest had been received by Councillor A Kirke regarding Items PL/185, PL/186 by and PL/189.

PL/183 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions had been received.

MATTERS DELEGATED TO COMMITTEEPL/184 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/185 **THE ERECTION OF A 1.5 STOREY BUNGALOW WITH ASSOCIATED PARKING AT 20 MANSFIELDS CROFT, ETWALL, DE15 6NJ. – DMPA/2023/0906**

The Committee was advised that Members had attended a site visit earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee noting that it was before Members as one of the objectors was an employee of South Derbyshire District Council. The Head of Planning and Strategic Housing outlined the application and highlighted the reasons for refusal.

An Objector and the Applicant attended the meeting and addressed the Committee regarding the application.

As Ward Member, Councillor Kirke addressed the Committee raising concerns on behalf of local residents.

Members considered the application and supported the officer's recommendations.

RESOLVED:

That planning permission be refused as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/186 **PARTIAL DEMOLITION OF EXTERNAL WALLS TO FORM PORCH AND PRIVATE TERRACE, INTERNAL ALTERATIONS TO FACILITATE MEZZANINE FLOOR OVER PART OF REAR RECEPTION ROOM, AND EXTERNAL REMODELLING WITH RENDER AND TIMBER CLADDING AND REPLACEMENT WINDOWS AT 2 LAWNSWOOD CLOSE, ETWALL, DERBY, DE65 6QH – DMPA/2023/1519**

The Planning Delivery Team Leader presented the report to the Committee and outlined the works and the proposed changes externally to the building.

As Local Ward Member, Councillor Kirke addressed the Committee and raised concerns of overlooking onto a neighbouring property.

Members considered the application and discussed the benefit of using opaque to screen the first floor terrace to prevent overlooking.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an additional condition that required screening to the first floor terrace.

PL/187 **CHANGE OF USE FROM A DWELLING (USE CLASS C3) TO A CHILDREN'S HOME (USE CLASS C3B) AT 37 WINCHESTER DRIVE, LINTON, SWADLINCOTE, DE12 6PP – DMPA/2023/1374**

The Committee was advised that Members had attended a site visit earlier in the day.

The Planning Delivery Team Leader presented the report to the Committee and noted objections and concerns raised by local residents.

As Local Ward Member, Councillor A Tilley attended the meeting and addressed the Committee raising concerns on behalf of local residents.

Members discussed the application and raised concerns regarding the size of the site, inadequate parking facilities during shift changes, the impact on amenity for neighbouring properties and the requirement for more than two members of staff to be on site at any given time.

RESOLVED:

That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery) due to the over-intensive use of the site and the harmful impact on the amenities of adjoining neighbours.

PL/188 **PROPOSED CLUBHOUSE, LAUNDRY BUILDING AND 10-HOLIDAY APARTMENTS AT PETE ROBINSON HOLIDAY HOMES LTD, COLLIERY LANE, LINTON, SWADLINCOTE, DE12 6PB. – DMPA/2022/1618**

The Senior Planning Officer presented the report to the Committee and outlined the updated plans that contained location, the site boundary and the 30 car parking spaces.

As Local Ward Member, Councillor A Tilley attended the meeting and addressed the Committee raising concerns on behalf of local residents.

Following concerns raised by Councillor A Tilley, the Senior Planning Officer clarified that the County Highways Authority was content with the proposal subject to conditions and that the Environmental Health officer's concerns had been addressed and the noise mitigations proposed were acceptable.

Members considered the application and raised concerns regarding parking during events and discussed the impact if additional parking facilities were provided on site.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/189 **THE DEMOLITION EXISTING BUILDING AND THE ERECTION OF FIVE NEW DWELLINGS WITH ASSOCIATED AMENITY SPACE AND CAR PARKING AT MELBOURNE COMMUNITY CENTRE, CHURCH STREET, MELBOURNE, DERBY, DE73 8EJ – DMPA/2023/1259**

The Committee was advised that Members attended a site visit earlier in the day.

The Head of Planning and Strategic Housing addressed the Committee and read out summary of statements on behalf of the Objector and the Applicant's Agent who had attended a previous meeting and addressed the Committee.

The Head of Planning and Strategic Housing presented the report to the Committee noting that following previous deferral by the Committee there had been meetings between the applicant and the Civic Society and amended plans had been submitted.

As Local Ward Member, Councillor Carroll addressed the Committee and raised concerns on behalf of local residents and the Civic Society.

As Local Ward Member, Councillor Fitzpatrick attended the meeting and raised concerns regarding the consultation with the Civic Society.

The Head of Planning and Strategic Housing outlined the meetings that had taken place between the Applicant and the Civic Society, which had resulted in a betterment of the scheme and reduction on the impact on 65 Church Street and 21 Castle Street and maintained neighbouring amenity.

Members considered the application and discussed how the designs could have been greatly improved.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/190 **CONVERSION AND EXTENSION OF A GRADE II LISTED BARN IN THE GROUNDS OF CASTLE FARM TO A 3 BED DWELLING AT CASTLE FARM, CASTLE STREET, MELBOURNE, DERBY , DE73 8DY – DMPA/2022/0008**

The Committee was advised that Members attended a site visit earlier in the day.

The Head of Planning and Strategic Housing addressed the Committee and read out summary of statements from the Objector and the Applicant who had attended a previous meeting and addressed the Committee.

The Head of Planning and Strategic Housing presented the report to the Committee and outlined the application noting the sensitive historical context and the position of an outbuilding previously on site.

As Local Ward Members, Councillor Carroll and Councillor Fitzpatrick attended the meeting and addressed the Committee raising concerns regarding the loss of light and amenity for the neighbouring property.

Members considered the application and shared sympathy for the loss of amenity for the neighbouring property. Members sought clarity regarding the history of the whole of site and the retention of the boundary wall.

The Head of Planning and Strategic Housing confirmed that Historical England had confirmed the whole site as a Scheduled Monument and was in agreement with the proposals, it was noted that the boundary wall was to be retained.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/191 **LISTED BUILDING CONSENT FOR CONVERSION AND EXTENSION OF A GRADE II LISTED BARN IN THE GROUNDS OF CASTLE FARM TO A 3 BED DWELLING AT CASTLE FARM, CASTLE STREET, MELBOURNE, DERBY, DE73 8DY – DMPA/2022/0111**

The Head of Planning and Strategic Housing presented the report to the Committee and sought approval for the listed building consent.

Members considered the application and supported the officer's recommendations.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/192 **THE VARIATION AND REMOVAL OF CONDITIONS 2, 3, 4, 5 AND 6 RELATING TO PLANNING PERMISSION REF. DMPA/2022/0860 FOR CHANGE A MOUNDED GRASS AREA INTO A SMALL MINERS MEMORIAL PARK, TO INCLUDE SOME HARD SURFACING, 2 NO. SEATS, 2 NO. PERGOLAS, 2 NO. SCULPTURES, THE PLANTING OF 18 NO. TREES, A WILD FLOWER MEADOW AREA, AND BULB PLANTING WITHIN THE PROPOSED TREES, AND ONE SIGNAGE BOARD AT EUREKA PARK, MIDLAND ROAD, JOHN STREET, SWADLINCOTE – DMPA/2023/1420**

The Planning Delivery Team Leader presented the report to the Committee and outlined the application.

Members considered the report and supported the officer's recommendations.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/193 **PROPOSED EXTENSION TO EXISTING WORKSHOP AND PROVISION OF ADDITIONAL OFFICE SPACE, TOGETHER WITH A CHANGE OF USE OF EXISTING LAND AND TURNING HEAD RESULTING FROM THE DEVELOPMENT OF THE KILN WAY LINK ROAD FOR THE CREATION 47NO. CAR PARKING SPACES, INCLUDING 24NO. ELECTRIC VEHICLE CHARGING POINTS, ERECTION OF 10NO. CYCLE SPACES, STAFF SEATING AREA AND LANDSCAPING FOR FIRST FENCE LTD. (3 PARKING SPACES TO BE ALLOCATED FOR SHARPE'S BROTHERS AND CO LTD). (RESUBMISSION OF DMPA/2023/0177) AT FIRST FENCE LTD, KILN WAY, WOODVILLE, SWADLINCOTE, DE11 8EA.DMPA/2023/1368**

The Head of Planning and Strategic Housing read out a summary of statement from the Objector who had attended a previous meeting and addressed the Committee.

The Head of Planning and Strategic Housing presented the report to the Committee noting that an identical application had been refused by the Committee due to the parking layout. The Committee was advised that following appeal the parking layout had been allowed and that the Committee were asked to consider the extension to the building which had not been the basis for refusal. The Committee was advised of an additional amendment in relation to the operating hours for the extension which would be 06:00h to 19:00hrs, Monday to Friday and 07:00hrs to 14:00hrs on Saturdays with no opening on Sundays and Bank Holidays.

Members considered the application and supported the officer's recommendations.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to and additional condition relating to the hours of operation for the extension.

PL/194 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE THE EXEMPT MINUTES OF THE FOLLOWING MEETINGS:

The Exempt Minutes of Planning Committee meetings held on 06 February 2024 were received.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 20:15 hours.

COUNCILLOR G JONES

CHAIR

HOUSING & COMMUNITY SERVICES COMMITTEE

07 MARCH 2024

OPEN

PRESENT:

Labour Group

Councillor G Rhind (Chair) and Councillor M Mulgrew (Vice-Chair)
and

Councillors A Archer, S Harrison, J Jackson, D Shepherd, B Stuart
(substituting for Councillor A Haynes) and A Tilley.

Conservative Group

Councillors D Corbin, M Fitzpatrick and J Lowe.

Liberal Democrats

Councillor J Davies.

In attendance

Councillor A Wheelton.

HCS/85 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor A Haynes (Labour Group).

HCS/86 **OPEN MINUTES**

The Open Minutes of the Meeting held on 08 January 2024 were approved as a true record and signed by the Chair of the Committee.

HCS/87 **DECLARATIONS OF INTEREST**

The Committee noted that no Declarations of Interest had been received.

HCS/88 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from Members of the Public had been received.

HCS/89 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE**HCS/90 CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2023-2024 QUARTER 3 – 1 APRIL TO 31 DECEMBER)**

The Strategic Director (Service Delivery) presented the report to the Committee highlighting the seven indicators for this Committee and confirmed that seven were on track. The Committee noted that the indicator for the average time to relet a property was red and the Strategic Director (Service Delivery) informed Members that improvements had been made since the previous report.

Members discussed the numbers of void properties and the costs of major repairs and the issues affecting the length of time to relet a property.

The Asset and Improvement Manager informed the Committee that the delays in reletting properties was mainly due to a lack of manpower and the high turnover of sub-contract maintenance staff. The Asset and Improvement Manager confirmed that the benchmark figure of £2,500 was used nationally as an estimate for major repairs.

RESOLVED:

1.1 The Committee approved progress against performance targets set out in the Corporate Plan 2020 - 2024.

1.2 The Committee reviewed the Risk Register for the Committee's services.

HCS/91 SOCIAL HOUSING DECARBONISATION FUND WAVE 1

The Strategic Director (Service Delivery) presented the report to the Committee confirming that of the 111 properties selected for the scheme 89 had been completed and Wave 2.1 was now underway.

Members sought clarity on the reduction of CO² and were pleased to note the lower fuel bills for residents and asked if there had been any feedback from homeowners.

The Strategic Director (Service Delivery) confirmed to the Committee that the scheme would achieve a Band C for carbon emissions.

The Asset and Improvement Manager informed the Committee that residents had provided positive feedback about the scheme and confirmed that further communications would be sent to residents after twelve months to gather additional data about the scheme.

Members were happy to support the recommendations in the report.

RESOLVED:

- 1.1 The Committee noted the completion of the Social Housing Decarbonisation Fund Wave 1 works programme.***
- 1.2 The Committee delegated authority to the Strategic Director (Corporate Resources)/S151 Officer to sign the Memorandum of Understanding that detailed the project change requests.***
- 1.3 The Committee approved that the Council's underspend of £81,408 be ringfenced within the Social Housing Decarbonisation Fund for further energy efficiency projects within the social housing stock.***

HCS/92 COMMITTEE WORK PROGRAMME

The Strategic Director (Service Delivery) presented the work programme to the Committee.

RESOLVED:

- 1.1 The Committee considered and approved the updated work programme.***

HCS/93 LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)

The Chairman may therefore move:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

ANY EXEMPT QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

ACQUISITION OF TWO BUNGALOWS IN REPTON**RESOLVED:**

That the Committee approved the recommendations in the report.

HOUSING VOIDS UPDATE

RESOLVED:

That the Committee approved the recommendations in the report.

CARELINE AND INDEPENDENT LIVING SERVICE

RESOLVED:

That the Committee approved the recommendations in the report.

HOUSING SERVICES REVIEW

RESOLVED:

That the Committee approved the recommendations in the report.

The meeting terminated at 19:25hours.

COUNCILLOR G RHIND

CHAIR

LICENSING AND APPEALS SUB-COMMITTEE

12 March 2024 at 10.00 hours

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillor M Gee (Chair) and Councillor A Jones (Labour Group) and
Councillor A Kirke (Conservative Group)

District Council Representatives

Elisabeth Page - Legal and Democratic Services Manager
Emma McHugh – Senior Licensing Officer
Patricia Hill – Democratic Services Officer

In Attendance

Applicant

LAS/41 **APOLOGIES**

The Sub-Committee was informed that no apologies have been received.

LAS/42 **DECLARATION OF INTEREST**

The Sub-Committee was informed that no declarations of interest had been received.

MATTERS DELEGATED TO SUB-COMMITTEE

LAS/43 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

HEARING FOR THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE AND OPERATOR'S LICENCE

RESOLVED:

The Legal Officer read out the Panel's Decision.

The Meeting terminated at 11:30hours.

COUNCILLOR M GEE

CHAIR

FINANCE AND MANAGEMENT COMMITTEE

14 March 2024

PRESENT:

Labour Group

Councillor R Pearson (Chair), Councillor L Singh (Vice-Chair) and Councillors S Harrison, G Rhind, M Mulgrew, B Stuart, S Taylor and V Redfern (substitute for Councillor N Tilley)

Conservative Group

Councillors M Ford, J Lowe (substitute for Councillor D Corbin, S Meghani and P Watson (substitute for Councillor M Fitzpatrick).

Liberal Democrats

Councillor G Andrew.

In Attendance

Councillor A Wheelton.

FM/110 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor N Tilley (Labour Group) and Councillors D Corbin and M Fitzpatrick (Conservative Group).

FM/111 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETING:**

The Open Minutes of the Finance and Management Committee meeting held on 11 January 2024 were received and approved as a true record and signed by the Chair.

FM/112 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of personal interest had been received.

FM/113 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/114 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from members of the council had been received. [Page 189 of 199](#)

FM/115 **REPORTS OF OVERVIEW AND SCRUTINY**

The Committee was informed that no reports from the Overview and Scrutiny Committee had been received.

FM/116 **CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2023-2024 QUARTER THREE 01 APRIL TO 31 DECEMBER)**

The Head of Organisational Development and Performance presented the report to the Committee and summarised the key elements of the report. It was noted that out of the eleven Corporate Measures that the Committee was responsible for, ten were on track and the only red one related to days lost through sickness absence. The Head of Organisational Development and Performance outlined the risk registered.

Councillor Meghani sought clarity regarding patterns of sickness absence and whether these related to a particular section of department of the Council.

The Head of Organisational Development and Performance informed the Committee that the cases related to long term sickness and there were no noticeable patterns in particular services. It was further explained that work continues to be undertaken to address ongoing issues.

RESOLVED:

- 1.1 The Committee approved progress against performance targets set out in the Corporate Plan 2020 - 2024.***
- 1.2 The Committee reviewed the Risk Register for the Committee's services.***

FM/117 **EQUALITY, DIVERSITY, AND INCLUSION POLICY**

The Head of Organisational Development and Performance presented the report to the Committee and highlighted the proactive approach that had been taken and the full range of engagement involved in developing the policy.

Councillor Singh and Councillor Taylor commended the report and noted the importance of dignity, quality and fairness within the workplace and the wider community.

Councillor Meghani sought clarity regarding the number of staff employed to work on Equality, Diversity and Inclusion matters.

The Head of Organisational Development and Performance addressed the Committee and explained how equality, diversity and inclusion was the responsibility of all officers and members. The Strategic Director confirmed that the Council currently employs one part time member of staff on a fixed term basis to focus on this, and this arrangement will come to an end in June 2024, with EDI work being managed by HR Officers going forward.

RESOLVED:

- 1.1 The Committee approved the Equality, Diversity, and Inclusion policy attached at Appendix 1 to the report.**

FM/118 **QUARTERLY BUDGET MONITORING 2023-24**

The Head of Finance presented the report to the Committee and outlined the recommendations for approval. The Head of Finance summarised the updated positions for the General Fund, business rates, the increased earmarked reserves and the Housing Revenue Account forecast.

Members commended the report and supported the officer's recommendations.

RESOLVED:

- 1.1 The Committee noted the position and provided any comments it had on the latest revenue and capital financial position for the General Fund and Housing Revenue Account for 2023/24.**
- 1.2 The Committee approved to waive the fee of bulky collection for those residents that had been affected by the recent flooding.**
- 1.3 The Committee delegated authority to the Section 151 Officer to waive future charges connected to events of exceptional nature.**
- 1.4 The Committee accepted the grant funding of £100,000 from Derbyshire County Council relating to Children and Young People Emotional Health and Wellbeing and authorised the Strategic Director (Corporate Resources) to sign the grant agreement.**

FM/119 **TREASURY MANAGEMENT UPDATE 2023/24**

The Head of Finance presented the report to the Committee highlighting the Capital Finance review and the increase in the General Fund. The Head of Finance noted the changes to the Prudential Indicators.

Members commended the report and supported the officer's recommendations.

RESOLVED:

- 1.1 The Committee noted the latest Quarter 3 updates in respect of Treasury Management, attached as Appendix 1 to the report, Prudential Indicators and Limits, attached as Appendix 2 to the report and Counterparty List for investments and bank deposits, attached as Appendix 3 to the report.**

FM/120 **MEDIUM TERM FINANCIAL STRATEGY 2024/25 – 2028/29**

The Strategic Director (Corporate Resources) presented the report to the Committee outlining how the strategy addressed budget gaps, depleted reserves over the medium term and provided a high-level position to safeguard the Council's financial position, with new initiatives, projects and efficiency savings. The Strategic Director (Corporate Resources) sought approval of the recommendation within the report.

Councillor Taylor addressed the Committee and commended the strategy noting the tremendous work and Member engagement that had not previously seen and highlighted how the strategy gave the Council the opportunity to look forward and close the budget gap.

Councillor Wheelton sought clarity regarding wording on page 185 of the strategy in relation to the savings target.

The Strategic Director (Corporate Resources) advised the Committee that it was an inferred savings target that needed to be considered and that the wording could be changed to clarify this.

RESOLVED:

1.1 The Committee reviewed the Medium-Term Financial Strategy 2024/25 – 2028/29 and recommend it to Council for approval and delegated authority to the Strategic Director (Corporate Resources) in consultation with the Chair to make the necessary amendments and clarification to wording.

FM/121 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report noting that a Levelling Up report would be added to the Work Programme for the April meeting.

RESOLVED:

The Committee considered and approved the updated work programme.

FM/122 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)****RESOLVED:**

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE THE EXEMPT MINUTES OF THE FOLLOWING MEETING:

The Exempt Minutes of the Finance and Management Committee meetings held on 11 January 2024 were received.

QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no questions had been received.

SUNDRY DEBTOR, CTAX, NNDR, HOUSING BENEFIT OVERPAYMENT WRITE OFFS

RESOLVED:

The Committee approved the recommendations of the report.

ACQUISITION OF TWO BUNGALOWS IN REPTON

RESOLVED:

The Committee approved the recommendations of the report.

The meeting terminated at 18:35 hours.

COUNCILLOR R PEARSON

CHAIR

PLANNING COMMITTEE

19 March 2024

PRESENT:

Labour Group

Councillor G Jones (Chair) and Councillor Shepherd (Vice-Chair)
Councillors J Carroll, M Gee, A Jones, L Mulgrew, M Mulgrew (substituting for Councillor K Storey) and A Tilley (substituting for Councillor I Hudson).

Conservative Group

Councillors A Kirke, K Haines and P Watson (substituting for Councillor D Muller).

Liberal Democrats

Councillor J Davies

Non-Grouped

Councillor A Wheelton.

In Attendance

Councillor N Atkin
Councillor S Taylor
Councillor N Tilley

PL/197 **APOLOGIES**

The Committee was informed apologies had been received from Councillors I Hudson and K Storey (Labour Group) and Councillor D Muller (Conservative Group).

PL/198 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETINGS:**

The Open Minutes of Planning Committee meeting held on 09 January 2024 were received, approved as a true record and signed by the Chair.

PL/199 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor A Tilley declared a personal interest in Item PL/203 by virtue of being a member of Linton Parish Council.

The Committee was informed that Councillor Shepherd declared a personal interest in Item PL/205 by virtue of being known to the registered speaker.

The Committee was informed that Councillor A Jones declared a personal interest in Item PL/206.

PL/200 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions had been received.

MATTERS DELEGATED TO COMMITTEE

PL/201 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/202 **CONVERSION OF BARN TO RESIDENTIAL ACCOMMODATION INCLUDING THE RECONSTRUCTION OF EXISTING STABLE BLOCK. BARN WITHIN LAND AT SK 40868 31804, BROAD LANE THULSTON DERBY – DMPA/2022/1547**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report and outlined the details of the application to the Committee.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor Watson addressed the Committee raising concerns on behalf of the local residents and stated that the application was against the Council's Green Belt and Settlement Boundary policies.

Members considered the non-compliance with Council policies and sought clarity regarding receipt of the structural survey and the outcomes of analysis for determining the use of Green Belt designated land. Members noted that the original approval was for an agricultural and equestrian storage building.

The Head of Planning and Strategic Housing clarified that development of Green Belt land was allowable in some cases and that tests concluded that the structure of the building was substantial and robust for conversion and that the scheme was consistent with South Derbyshire District Council policies as being appropriate for conversion and extension of the building.

RESOLVED:

That planning permission be refused contrary to the recommendation in the report of the Strategic Director (Service Delivery) due to inappropriate development that was harmful to the openness of the Green Belt on an important, and prominent gateway to the village.

PL/203 **THE DEMOLITION OF PART OF EXISTING DWELLING AND THE ERECTION OF A DWELLING WITH ASSOCIATED WORKS AT LAND ADJACENT TO 12 COLLIERY LANE, LINTON, SWADLINCOTE, DERBYSHIRE – DMPA/2023/1362**

The Planning Delivery Team Leader presented the report and summarised the details of the application to the Committee.

As Local Ward Member, Councillor A Tilley attended the meeting and addressed the Committee in support of the application.

Members considered the application and supported the officer's recommendations.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/204 **GARAGE CONVERSION, FIRST FLOOR FRONT EXTENSION, DETACHED GARAGE WITH OFFICE SPACE ABOVE, BOUNDARY FENCE WITH GATED ENTRANCE TO DRIVEWAY – DMPA/2024/0128**

The Planning Delivery Team Leader presented the report and summarised the key details of the application to the Committee and outlined three late items of representation.

An Objector and the Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor Haines addressed the Committee raising concerns on behalf of the local residents.

Councillor Watson raised concerns about the application and proposed a site visit.

RESOLVED:

That planning permission be deferred for the Committee to visit the site.

PL/205 **CHANGE OF USE OF SITE TO A SECURE DOG FIELD ON LAND AT STENSON ROAD, STENSON, DE73 7HL – DMPA/2023/1339**

The Planning Delivery Team Leader presented the report and outlined the details of the application to the Committee.

An Objector attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor Shepherd addressed the Committee raising concerns on behalf of the local residents and proposed a site visit.

RESOLVED:

That planning permission be deferred for the Committee to visit the site.

Councillor A Jones left the meeting.

PL/206 **Demolition of ground floor store and extensions to the existing abattoir building and erection of extensions to form enclosed stock pens, enclosed storage areas, new water tanks and a covered stock entrance with widening of access to Coal Lane, additional access, the erection and retention of new boundary treatments and associated land grading and engineering works and installation of hardstanding at Pickstock Abattoir, 2 Coal Lane, Hartshorne, Swadlincote – DMPA/2020/0599**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee and outlined the details of the application. The Head of Planning and Strategic Housing summarised late items that had been received which included concerns from local residents and the ownership and diversion of the footpath running through the site location.

An Objector and the Applicant attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor Taylor attended the meeting and addressed the Committee raising concerns on behalf of the local residents with regard to the containment of effluent on the site, sewer capacity and the diversion of the footpath.

Members raised concerns regarding the footpath, which was inaccessible and badly maintained, the lighting strategy and the noise from non-stop engines on the site and requested that Condition 8 be amended to include evergreens and discussed the removal of Permitted Development Rights.

The Head of Planning and Strategic Housing confirmed to the Committee that a drainage strategy had been provided by Severn Trent Water Authority to contain effluent on the site and that the matter of the diversion of the footpath would be dealt with through a separate process and subsequent Application. The Head of Planning and Strategic Housing informed the Committee that the lighting strategy met the requirements of the Environmental Health Officer. It was noted that the proposal was intended to contain noise, including refrigeration, inside the buildings and that any nuisance would be dealt with by Environmental Health.

Members suggested that two informative requests be included that asked that the footpath diversion application be submitted promptly and that consideration be given to grey water harvesting.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject amendments to condition 8 to include National Forest planting, the inclusion of evergreens and for the scheme to be implemented in the first planting season following issuing of the decision and that permitted development rights were to be removed.

Councillor A Jones returned to the meeting.

PL/207 **APPLICATION SEEKING FULL PLANNING PERMISSION FOR DEMOLITION OF EXISTING OUTBUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE 12NO. 4 BEDROOM HOUSES WITH ASSOCIATED ACCESS AND LANDSCAPING AT LAND OFF BRUNT LANE, WOODVILLE, SWADLINCOTE, DE11 7HX – DMPA/2022/0350**

The Planning Officer presented the report to the Committee and outlined the details of the application informing the Committee of a late item relating to an amendment of condition 14 and Japanese Knotweed.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor Taylor attended the meeting and addressed the Committee raising concerns on behalf of the local residents.

Members raised concerns regarding affordable homes, parking on Brunt Lane, access into Brunt Lane and congestion at the junction from construction traffic.

The Planning Officer clarified that Derbyshire County Highways Authority was not responsible for the upkeep of Brunt Lane as it was classified as a private and unadopted road. The Planning Officer confirmed that the proposed 15 units on the development did not meet the threshold to provide affordable housing.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) with the following amended condition 14: no development, including preparatory works, shall commence until an Invasive Non-Native Species Protocol (INNSP) has been submitted to and approved in writing by the Local Planning Authority. The INNSP shall detail the timing and method of containment, control and removal of Japanese Knotweed on the site. The measures identified in the INNSP shall be carried out strictly in accordance with the approved scheme. Reason: To prevent the spread of invasive plant species identified on site.

PL/208 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

PL/209 **EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.**

The Committee was informed that no questions had been received.

The meeting terminated at 20:15hours.

COUNCILLOR G JONES

CHAIR