

## **COUNCIL**

Minutes of a meeting of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday 31<sup>st</sup> January 2024 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillor Tom Munro in the Chair

Councillors Rita Turner (Vice-Chair), David Bennett, Anne Clarke, Rowan Clarke, Mary Dooley, Will Fletcher, Steve Fritchley (for items CL63-23/24 to CL69-23/24 only), Justin Gilbody, Donna Hales, Duncan Haywood, Mark Hinman, Cathy Jeffery, Chris Kane (for all items except CL67-23/24), Lucy King, Tom Kirkham, Duncan McGregor (for all items except CL67-23/24), Clive Moesby, Sandra Peake, Lisa Powell, Jeanne Rospin, Sally Renshaw (for all items except CL67-23/24), John Ritchie, Phil Smith, Emma Stevenson (for all items except CL70-23/24), Janet Tait (for items CL63-23/24 to CL66-23/24 and CL68-23/24 to CL69-23/24 only), Ashley Taylor, Vicky Waplington, Deborah Watson (for all items except CL70-23/24), Jen Wilson, Carol Wood (for all items except CL70-23/24) and Jane Yates.

Officers:- Karen Hanson (Chief Executive), Steve Brunt (Strategic Director of Services), Theresa Fletcher (Service Director Finance & Section 151 Officer), Jim Fieldsend (Service Director Governance and Legal Services & Monitoring Officer), Pam Brown (Director of Executive, Corporate Services and Partnerships), Sarah Kay (Assistant Director of Planning and Planning Policy), Chris McKinney (Senior Devolution Lead for Planning Policy, Strategic Growth and Housing), Jon Hendy (Senior Planning Officer (Policy)), Adam Ballard (Senior Emergency Planning Officer), Thomas Dunne-Wragg (Scrutiny Officer), Matthew Kerry (Governance and Civic Officer), and Amy Bryan (Governance and Civic Manager).

### **CL63-23/24            APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Louise Fox, Rob Hiney-Saunders and Catherine Tite.

### **CL64-23/24            DECLARATIONS OF INTEREST**

Members were reminded by the Monitoring Officer that any Councillor in arrears of Council Tax by more than two months must not vote in decisions on or which might affect budget calculations, and must disclose at the meeting that this restriction applied to them. A failure to comply with these requirements was a criminal offence under Section 106 of the Local Government and Finance Act 1992.

The Monitoring Officer added that any Members who were tenants of a Council property should declare an interest for any budget setting item, but these Members had an automatic dispensation to remain in the room to speak and vote on the items in question.

The Monitoring Officer also reminded Members that votes on budget and Council Tax setting items would be done by recorded vote as required by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

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The following interests were declared:

<b>Minute Number</b>	<b>Member</b>	<b>Level of Interest</b>
CL67-23/24	Councillor Chris Kane	Disclosable Pecuniary Interest (in receipt of a mine workers pension)
	Councillor Duncan McGregor	Disclosable Pecuniary Interest (in receipt of a mine workers pension)
	Councillor Sally Renshaw	Disclosable Pecuniary Interest (in receipt of a mine workers pension)
	Councillor Janet Tait	Disclosable Pecuniary Interest (in receipt of a mine workers pension)
CL69-23/24	Councillor David Bennett	Disclosable Pecuniary Interest (Council tenant)
	Councillor Mary Dooley	Disclosable Pecuniary Interest (Council tenant)
CL69-23/24 & CL70-23/24	Councillor Steve Fritchley	Other Registerable Interest (Director of Dragonfly Development Limited and Dragonfly Management (Bolsover) Limited)
	Councillor Emma Stevenson	Other Registerable Interest (Director of Dragonfly Development Limited and Dragonfly Management (Bolsover) Limited)
	Councillor Janet Tait	Other Registerable Interest (Director of Dragonfly Development Limited and Dragonfly Management (Bolsover) Limited)
	Councillor Deborah Watson	Other Registerable Interest (Director of Dragonfly Development Limited and Dragonfly Management (Bolsover) Limited)
	Councillor Carol Wood	Other Registerable Interest (Director of Dragonfly Development Limited and Dragonfly Management (Bolsover) Limited)

The Monitoring Officer reported that he had received a request from Councillor Steve Fritchley, Leader of the Council, for a dispensation for himself and Councillors Emma Stevenson, Janet Tait, Deborah Watson and Carol Wood, to remain in the meeting, take part in the debate and vote on the Medium Term Financial Plan 2023/24 – 2027/28. The Monitoring Officer advised that the Council could grant a dispensation to enable a Councillor to participate and vote on a matter in which they had an Other Registerable Interest. Requests had to be made in writing and had to be made on one of the grounds set out in the Council's Constitution. The Monitoring Officer stated that the dispensation would fall under the grounds that the District Council considered that it was otherwise appropriate to grant a dispensation.

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The Monitoring Officer read out the request for a dispensation, which stated '*I would like to request a dispensation at Council on Wednesday to allow myself and Cllrs Stevenson, Tait, Watson and Wood to remain present for the debate and vote for the Medium Term Financial Plan report at item 7 on the agenda.*

*The reasons for this are twofold:*

*Whilst we recognise the reports set out the budgets for Dragonfly Management Ltd, these budgets relate entirely to the delivery of Council Services, for example housing repairs and facilities management. These services, and the allocation of existing budgets are detailed and agreed within the Service Level Agreement between the Council and Dragonfly Management Ltd approved by Executive on 29<sup>th</sup> January 2024. The budgets are in line with the normal budget provision identified by the Council's Finance Team. If there is reason to request growth to these budgets (with the exception of inflationary increases), this will be made to Council separately, in accordance with the SLA.*

*The setting of the Council's budget, Council Tax, and rents are amongst the most important financial decisions made by Council on an annual basis. It is of utmost importance that the Leader and Members receive all relevant information and take part in Council debate on these matters. At a time when Council finances across the country are causing concern, with several Councils issuing Section 114 Notices, it is even more important that all Councillors are fully informed, involved and take part in these decisions.'*

A query was raised regarding the flow of information from the Shareholder Board of Dragonfly to the Council. The Monitoring Officer confirmed that steps were being taken to ensure all Members received information on the work of the Board.

The request for a dispensation was put to the vote.

**RESOLVED** that a dispensation be granted to Councillors Steve Fritchley, Emma Stevenson, Janet Tait, Deborah Watson and Carol Wood to participate and vote on the item Medium Term Financial Plan 2023/24 – 2027/28.

### **CL65-23/24      CHAIR'S ANNOUNCEMENTS**

The Chair thanked everyone who had purchased a ticket for the Civic Dinner on Friday 23<sup>rd</sup> February 2024.

The Chair reported that the Brass Band Concert would now be held in the Autumn.

### **CL66-23/24      MINUTES**

Moved by Councillor Duncan McGregor and seconded by Councillor John Ritchie

**RESOLVED** that the minutes of a meeting of Council held on 6<sup>th</sup> December 2023 be approved as a true and correct record.

(Councillors Chris Kane, Duncan McGregor, Sally Renshaw and Janet Tait left the room for the next item)

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### CL67-23/24      MOTIONS

In accordance with Council Procedure Rule 10, Councillors were able to submit Motions on Notice for consideration at meetings of Council.

a) The following motion was submitted for consideration by Councillor Janet Tait

#### **Mine Workers Pension Scheme**

***That Bolsover District Council agree to support the Mine workers Pension Scheme, in their efforts to persuade the Government to reduce the 50% they take from the pension fund surplus every 3 years by writing to Mark Fletcher (our MP) for him to lobby his government and to write to the relevant Cabinet member for work and pensions.***

*When the Mines closed there was an agreement struck between the Government of the day, the and the treasurers of the Mineworkers pension scheme. The Government agreed to guarantee the fund from any future failure in return for a share of the surplus, which is calculated every three years. This was at a time when the number of pension scheme members eligible for a pension would have been at its height.*

*Since the closure of the mines there have been no more miners joining the fund, in fact the numbers have dramatically reduced due to death of the members claiming and the deaths of their surviving spouses who could have claimed a percentage of the pension.*

*This means the amount the Government now has to guarantee is significantly less than it used to be and it has already taken over 3 billion from the fund, without having to pay anything back as part of the guarantee.*

*The campaign to get the Government to review this agreement has been a long running one, and in fact the BEIS Committee (Business, Energy and Industrial Strategy Select Committee) made up of cross party MPS Concluded "The government should not be in the business of profiting from miners' pensions" and that any future surplus and reserves should go directly to the miners who have paid into the scheme, not the treasury's coffers. This was unanimously supported by the committee, which has a majority of Conservative members. The Government still refuses to move on this issue.*

*The number of surviving miners and their spouses reduces each year so the MPS is asking as many people as possible to write to their MPs, asking for support to get the Government to re visit this matter and re-negotiate the deal.*

*I believe this council, as it represents a major ex mining area, should also do the same and help to support the campaign, and I ask for its support.*

Councillor Janet Tait had withdrawn from the meeting after declaring a Disclosable Pecuniary Interest, so Councillor Tom Munro moved the Motion and it was seconded by Councillor Steve Fritchley.

On being put to the vote the Motion was carried.

**RESOLVED** that the Council agreed to support the Mine Workers Pension Scheme, in their efforts to persuade the Government to reduce the 50% they take from the pension fund surplus every 3 years by writing to Mark Fletcher MP for him to lobby

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his government and to write to the relevant Cabinet member for work and pensions.

(Councillors Chris Kane, Duncan McGregor, Sally Renshaw, and Janet Tait returned to the meeting)

### **CL68-23/24 LOCAL PARKING STANDARDS SUPPLEMENTARY PLANNING DOCUMENT**

Council considered a report which set out a recommendation from the Planning Committee that the Local Parking Standards Supplementary Planning Document be adopted as a material consideration in planning decisions. The Local Parking Standards Supplementary Planning Document was attached to the report at Appendix 1.

The report explained that the Planning Committee at its meeting on 17<sup>th</sup> January 2024, had considered responses to a public consultation on a draft of the document and had approved a number of revisions in response to the consultation exercise.

Councillor Ashley Taylor asked a question regarding the provision of EV charging as standard for new homes and whether this would be enforced. The Senior Devolution Lead for Planning Policy, Strategic Growth and Housing explained that building standards set out what the Council expected and if required conditions were breached then planning enforcement would investigate. Planning enforcement was generally a reactive service, investigating once a complaint had been made.

Moved by Councillor John Ritchie and seconded by Councillor Clive Moesby

**RESOLVED** that the Local Parking Standards Supplementary Planning Document, as contained within Appendix 1, be adopted as a material consideration in planning decisions, as recommended by Planning Committee on 17<sup>th</sup> January 2024.

(Assistant Director of Planning and Planning Policy)

### **CL69-23/24 MEDIUM TERM FINANCIAL PLAN 2023/24 - 2027/28**

The Portfolio Holder for Resources presented a report on the Medium-Term Financial Plan (MTFP) for 2023/24 to 2027/28. The report had been considered by Finance and Corporate Overview Scrutiny Committee on 23<sup>rd</sup> January 2024 and Executive on 29<sup>th</sup> January 2024. The report set out budgets in respect of the General Fund, details of which were attached to the report at Appendices 1 and 2, Housing Revenue Account (HRA), details of which were attached to the report at Appendices 3 and 4 and the Capital Programme, details of which was attached to the report at Appendix 5.

In particular, financial projections were provided for:

- 2023/24 Current Budget Position – this was the current year budget, revised to take account of changes during the financial year that would end on 31<sup>st</sup> March 2024.
- 2024/25 Original Budget – this was the proposed budget for the next financial year on which the Council Tax would be based and would commence on 1<sup>st</sup> April 2024.
- 2024/25 Original Budget, including proposed increases to rents and fees and

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charges for the next financial year for the Housing Revenue Account.

- 2025/26 to 2027/28 Financial Plan – in accordance with good practice the Council agreed its annual budgets within the context of a Medium-Term Financial Plan. This included financial projections in respect of the next three financial years.

Councillor Will Fletcher asked what impact the increase to the Funding Guarantee Grant would have for the Council. The Director of Finance and Section 151 Officer stated that for 2024/25 it would be about £87,000 and for 2025/26 it would be about £100,000.

Councillor Carol Wood made a statement that in light of the robust position of the Council's budget, she had hoped that the Council would not have proposed the full increase to Council Tax. If the Council had proposed a slightly reduced increase of 2.54%, that would only have reduced income by roughly £20,500, and this would have been covered by the Funding Guarantee Grant.

Councillor Clive Moesby responded that there was generally an approach to increase Council Tax by the full amount because otherwise it was lost from the base budget, and it impacted on the current year but also on future years. He added that the Government expected Council Tax to be increased by the maximum amount and future funding was based upon that.

Councillor Steve Fritchley made a statement that the Government had reduced the Revenue Support Grant to all Local Authorities year on year.

Tom Kirkham asked a question in respect of the spend on the new Crematorium in Shirebrook. The Director of Finance and Section 151 Officer explained that all spend for the project had come through Council and there had been two budgets, one to look into whether the project was viable and then one for construction, but these showed as one budget in the Capital Programme. Councillor Steve Fritchley, Leader of the Council added that there was capital spend and there was also money for the cremator.

A recorded vote was taken in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

For the motion – 30

*(Councillors Bennett, A Clarke, R Clarke, Dooley, Fritchley, Gilbody, Hales, Haywood, Hinman, Jeffery, Kane, King, Kirkham, McGregor, Moesby, Munro, Peake, Powell, Raspin, Renshaw, Ritchie, Smith, Stevenson, Tait, Taylor, Turner, Waplington, Watson, Wilson and Yates)*

Against the motion – 2

*(Councillors Fletcher and Wood)*

Abstentions – 0

Moved by Councillor Clive Moesby and seconded by Councillor David Bennett

**RESOLVED** (1) that in the view of the Section 151 Officer, that the estimates in the Medium-Term Financial Plan 2023/24 to 2027/28 are robust and that the level

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of financial reserves whilst at minimum levels were adequate, be accepted.

- (2) that officers report back to Executive and to the Finance and Corporate Overview Scrutiny Committee on a quarterly basis regarding the overall position in respect of the Council's budgets.

### **GENERAL FUND**

- (3) a Council Tax increase of £5.89 be levied in respect of a notional Band D property (2.99%).
- (4) the Medium-Term Financial Plan in respect of the General Fund, as set out in Appendix 1 of the report, be approved as the Revised Budget 2023/24, as the Original Budget in respect of 2024/25, and the financial projection in respect of 2025/26 to 2027/28.
- (5) that any further spend in respect of 2023/24 be transferred to the Council's General Fund Reserves.
- (6) on the basis that income from Planning Fees may exceed £0.500m in 2023/24, the Head of Paid Service in consultation with the Leader of the Council be granted delegated powers to authorise such additional resources as are necessary to effectively manage the resultant increase in workload.

### **HOUSING REVENUE ACCOUNT**

- (7) that Council increases its rent levels by 7.7% to apply from 1<sup>st</sup> April 2024.
- (8) that the increases in respect of other charges as outlined in Appendix 4 Table 1 be implemented with effect from 1<sup>st</sup> April 2024.
- (9) the Medium-Term Financial Plan in respect of the Housing Revenue Account as set out in Appendix 3 and 4 of the report be approved as the Revised Budget in respect of 2023/24, as the Original Budget in respect of 2024/25, and the financial projection in respect of 2025/26 to 2027/28.
- (10) that under spends in respect of 2023/24 to 2027/28 be transferred to the HRA Revenue Reserve.

### **CAPITAL PROGRAMME**

- (11) that the Capital Programme as set out in Appendix 5 be approved as the Revised Budget in respect of 2023/24, and as the Approved Programme for 2024/25 to 2027/28.

(Director of Finance and Section 151 Officer)

(Councillors Steve Fritchley, Emma Stevenson, Janet Tait, Deborah Watson and Carol Wood left the room for the next item)

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### CL70-23/24 TREASURY STRATEGIES 2024/25 - 2027/28

The Portfolio Holder for Resources presented a report which set out the suite of Treasury Strategies for 2024/25 to 2027/28. The following were appended to the report:

- Treasury Management Strategy, Arlingclose Economic & Interest Rate Forecast at Appendix 1.
- Capital Strategy, Capital Programme and Annual Minimum Revenue Provision Station at Appendix 2.
- Corporate Investment Strategy at Appendix 3.

The report explained that the Treasury Management Strategy provided the framework for managing the Council's cash flows, borrowing and investments for the period. The Capital Strategy was intended to provide a high level, concise overview of how capital expenditure, capital financing and treasury management activity contributed to the provision of the Council's services. The Corporate Investment Strategy focussed on investments made for service purposes and commercial reasons, rather than those made for treasury management. These strategies provided an approved framework within which officers would undertake the day-to-day capital and treasury activities.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor

**RESOLVED** that (1) the Treasury Management Strategy at Appendix 1, be approved, in particular:

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

(2) the Capital Strategy as set out in Appendix 2, be approved, in particular:

- a) approve the Capital Financing Requirement
- b) approve the Minimum Revenue Provision Statement for 2024/25
- c) approve the Prudential Indicators for 2024/25 detailed in the Capital Strategy, in particular:

Authorised Borrowing Limit	£159.969m
Operational Boundary	£154.969m
Capital Financing Requirement	£149.969m

(3) the Corporate Investment Strategy, as set out in Appendix 3, be approved.

(Director of Finance and Section 151 Officer)

(Councillors Emma Stevenson, Deborah Watson and Carol Wood returned to the meeting)



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### **CL71-23/24      DERBYSHIRE EMERGENCY PLANNING PRESENTATION**

The Senior Emergency Planning Officer gave a presentation on the Emergency Planning Service.

The presentation covered the Civil Contingencies Act 2004, Service Level Agreements, emergency plans and the role of emergency planning, the role of elected members', community resilience, and the roles and responsibilities of the Environment Agency, Lead Local Flooding Authority and Parish Councils.

Further information on emergency planning was available on the Derbyshire Prepared website ([derbyshireprepared.org.uk](http://derbyshireprepared.org.uk)).

A number of questions and points were raised following the presentation.

The Chair thanked the Senior Emergency Planning Officer for their presentation.

### **CL72-23/24      CHAIRMAN'S CLOSING REMARKS**

The Chair had no closing remarks.

The meeting concluded at 11:34 hours.