



## THE EXECUTIVE

**Meeting: Thursday, 15 February 2018 at 6.30 pm in The Board Room, Pavilion Gardens, Buxton**

Present: Councillor T Ashton (Chair)

Councillors T Kemp and E Thrane

Apologies for absence were received from Councillor J McCabe

### 18/46 **DECLARATIONS OF INTEREST** (Agenda Item 2)

Councillor Kemp declared a disclosable pecuniary interest in agenda item 7 "Community Right To Bid - Nomination of a Community Asset (The Serpentine Plant Nursery)" (reason: beneficial interest in land adjacent to asset nominated).

### 18/47 **TO APPROVE THE MINUTES OF THE PREVIOUS MEETING** (Agenda Item 3)

RESOLVED:

That the minutes of the meeting held on 7 December 2017 be approved.

### 18/48 **THIRD QUARTER FINANCIAL, PROCUREMENT & PERFORMANCE REVIEW 2017/18** (Agenda Item 4)

The purpose of the report was to inform members of the Council's overall performance and financial position for the period ended 31st December 2017 ("Third Quarter 2017/18"). The report was considered by the Corporate Select Committee on 12 February 2018. The position was summarised as follows:

Subject	Headline
Finance	<p><b>The Finance headlines for the Third Quarter were:</b></p> <p><i>Performance against Budget</i></p> <ul style="list-style-type: none"> <li>The General Fund budget for 2017/18 was forecast to be underspent by £1,260,760 at the Quarter 3 stage.</li> <li>The underspend was required to be ring-fenced to support an additional drawdown against reserves in 2018/19 to account for the impact of business rates appeals and reliefs</li> </ul> <p><i>Efficiency Programme</i></p> <ul style="list-style-type: none"> <li>The overall efficiency target of £310,000 for 2017/18 was projected to be achieved at the third quarter stage – with £225,250 achieved to date. However, this was dependent on the progression of key efficiency programmes.</li> </ul> <p><i>Housing Revenue Account</i></p> <ul style="list-style-type: none"> <li>The Housing Revenue Account was forecast to be in surplus by £1,169,190 - £659,000 of which contributed to ongoing Financial</li> </ul>

Subject	Headline
	<p>Improvement Plan savings.</p> <p><i>Capital Programme</i></p> <ul style="list-style-type: none"> <li>• The Capital Programme budget for 2017/18 was £6.1m including the carry forward of capital underspends from 2016/17. The projected outturn was £4.2m which represented an underspend of £1.9m relating to the reprofiling of asset management plan schemes</li> <li>• The HRA Capital Programme for 2017/18 was £4.15 million, with spend forecast to be £0.34m underspent against budget at Quarter 3.</li> </ul> <p><i>Treasury Management</i></p> <ul style="list-style-type: none"> <li>• Cash investments held at 31st December 2017 totalled £21.9 million.</li> <li>• Council borrowing at 31st December 2017 totalled £72.2 million.</li> <li>• The Council's net interest receipts general fund budget was projected to be underspent by £17,000, with a £80,000 underspend on the HRA</li> </ul> <p><i>Revenue Collection</i></p> <ul style="list-style-type: none"> <li>• 85.2% of council tax was collected by 31st December 2017, compared to 85.6% for the same period last year.</li> <li>• 81.9% of business rates was collected by 31st December 2017 compared with 83.0% for the same period last year</li> <li>• At the end of Quarter 3 the value of sundry debt over 60 days old was £266,422 which compares to £273,073 at 31st December 2016</li> </ul>
Procurement	<p><b>The Procurement headlines for the Third Quarter were:</b></p> <ul style="list-style-type: none"> <li>• 22 procurement activities were completed (1 high value (greater than £172,000) – gas servicing and solid fuel service contract)</li> <li>• The procurement forward plan included 69 procurement activities scheduled for 2017/18 (either HPBC only or joint)</li> <li>• At the 31st December 2017, 67% of procurement activity undertaken was on the forward plan and the Council paid 96% of its invoices within 30 days</li> </ul>
Performance	<p><b>The Performance headlines for the Third Quarter were:</b></p> <ul style="list-style-type: none"> <li>• 59% of the key performance indicators were on track</li> <li>• Of the 19 Priority Actions within the Corporate Plan, one was rated 'amber', one was awaiting a decision, the remainder being classified as 'Green'; and</li> <li>• The Council received 64 complaints, 54 comments and 50 compliments in the Third Quarter. Repeat complaints and response times both on track</li> </ul>

Options considered:

Detailed analysis was contained within the appendices to the report.

RESOLVED:

That the third quarter 2017/18 financial, procurement and performance position detailed in Appendices A, B and C and summarised at paragraph 3.3 of the covering report be noted.

(Agenda Item 5)

The purpose of the report was to present the proposed Budget for 2018/19, updated Medium-Term Financial Plan 2018/19 – 2021/22, Procurement Forward Plan 2018/19 and proposed Fees and Charges for 2018/19. The report was considered by the Corporate Select Committee on 12 February 2018.

Options considered:

There were no options to consider at this stage. Options would be need to be developed in order to close the financial deficits highlighted in the updated plan.

**RECCOMENDED:**

That the Executive recommends that Council:

1. Approve the General Fund and Housing Revenue Account (HRA) Budget for 2018/19 as detailed in **Appendix A (section 8)**
2. Approve the revised Medium-Term Financial Plan (2018/19 to 2021/22) as detailed in **Appendix A**, including the revised Capital Programme (attached at Annex A) for the General Fund and HRA
3. Approve the proposed Procurement Forward Plan for 2018/19, providing the authority to procure based on procurement activity detailed in **Appendix B**
4. Approve the proposed Fees and Charges for 2018/19 as detailed in **Appendix C**
5. Approve a Band D Council Tax of £186.36 for 2018/19 (an increase of 2.9% from 2018/19)
6. Approve the following HRA charges:
  - Dwellings rents to reduce by an average of 1% (over 52 weeks) from £70.73 to £70.00 average per week
  - Garage rents to be increased by 5% (over 52 weeks) from £6.16 to £6.47 average per week
  - Other charges including service charges to increase by a maximum of 5% for current tenants
  - Fuel charges at individual blocks have been reviewed and the 2018/19 charge is based on 2016/17 and 2017/18 actual fuel usage/prices, charged on an individual scheme basis.
  - From 1st April 2018, new tenants are charged 'formula' rent (less 1%) plus any applicable service charge based on the actual cost to the Council
7. Note the Chief Finance Officer's view that the level of reserves are adequate for the Council based on this budget and the circumstances in place at the time of preparing it (**Appendix A section 7**)

**18/50 INFORMATION GOVERNANCE FRAMEWORK**  
(Agenda Item 6)

The Council must comply with a number of different Acts and Regulations when processing information. The report presented an information governance framework for managing information and the associated risks, and supporting regulatory, legal, and operational requirements. The report was considered by the Corporate Select Committee on 12 February 2018.

Options considered:

- The Executive approved the outlined approach to Information Governance (recommended).
- The Executive did not approve the outlined approach (not recommended).

RESOLVED:

1. That the content of the report be noted and the proposed approach to information governance be approved.
2. That the Council would register all Councillors with the ICO, and meet the registration costs, unless individual councillors wish to opt-out from registering.

**18/51 COMMUNITY RIGHT TO BID - NOMINATION OF A COMMUNITY ASSET**  
**(THE SERPENTINE PLANT NURSERY)**  
(Agenda Item 7)

(Councillor Kemp left the meeting during the consideration of this item and took no part in the discussion)

As the Executive was not quorate for this item the decision would be dealt with via an Individual Executive Decision.

**18/52 CEMETERY REGULATIONS REVIEW**  
(Agenda Item 8)

The report advised The Executive of revised Cemetery Regulations proposed for adoption in the High Peak. The report was considered by the Community Select Committee on 7 February 2018 which made reference to the Council being legally required to accept responsibility for churchyards and the potential financial implications should churches transfer responsibility for churchyards to the Borough Council.

Options considered:

There were two options available to the Council:

- To adopt the revised regulations (recommended).
- To not adopt the revised regulations (not recommended).

RESOLVED:

That the changes to Cemetery Regulations, which were set out in the Appendix to the report be adopted.

**18/53 WORLD WAR ONE COMMEMORATION ARRANGEMENTS**  
(Agenda Item 9)

The report presented proposals for the Council to mark the centenary of the end of World War I during 2018. The report was considered by the Community Select Committee on 7 February 2018.

Options considered:

- That the Council created a £20,000 WW1 grants budget as proposed in the report. (Recommended)
- That the Council created a budget of a different amount and/or a different mechanism for allocating the grant. (Not recommended)
- That the Council did not create a WW1 grant budget. (Not recommended)

RESOLVED:

1. That the Council helps to enable parish and town councils to hold WW1 centenary events and activities to mark the ending of the war in November 2018.
2. That a WW1 grant budget of £20,000 be established. Grants would be available to parish and town councils in High Peak based on the size of the council (as detailed in 7.9 and 7.10 of the report) and for events in Buxton and Glossop.
3. That a range of tools be used to promote the commemorations local and national and involvement by communities including: the use of the Council website, social media, Parish Forum and direct participation in events.

**18/54 HIGH PEAK DESIGN GUIDE - SUPPLEMENTARY PLANNING DOCUMENT**  
(Agenda Item 10)

A draft design guide had been completed for High Peak. This had been subject to public consultation with the public and a regional organisation that promoted good architectural design. This report set out the results of the consultation exercise and recommended that the amended design guide be adopted as a Supplementary Planning Document. The report was

considered by the Economy and Growth Select Committee on 8 February 2018.

Options considered:

There were two principal options:

Option 1 - Do Nothing

Without the design guide there would be a general lack of design guidance that was specific to High Peak. There would be no mechanism by which the Council could raise the quality of design and determine applications for development within the area. Not recommended

Option 2 – Adopt the High Peak Design Guide

The adoption of the High Peak Design Guide would offer additional supplementary design advice for developers, architects and agents when submitting proposals for development in High Peak. The guide identified the local building traditions and characteristics of the area and offered advice to ensure that any new development enhanced and responds to the local context. The guide and the corresponding technical appendices would improve and raise the standard of design across the area and could be used in the determination of planning applications and appeals. Recommended

**RECCOMENDED:**

That the Executive recommends that Council:

1. Note the consultation comments and officer's responses to them;
2. That the Council adopts the Design Guide and;
3. Delegate approval to officers to make any technical updates to the design guide, including the detailed appendices, as required

18/55

**BINGSWOOD INDUSTRIAL ESTATE - ACCESS AND INFRASTRUCTURE FOR EMPLOYMENT**

(Agenda Item 11)

The report set out the results of long-running negotiations with owners of businesses at Bingswood Industrial Estate in Whaley Bridge. The negotiations had been aimed at securing a financial commitment from the businesses to build a new bridge and associated infrastructure to improve access on to the estate and reduce HGV traffic in the town centre. Under current funding rules the project required a mixture of public and private funding in order to gain the essential external support. The D2N2 Local Enterprise Partnership (the LEP) had made it clear that any public funding must be matched by a significant contribution from the private sector beneficiaries of the investment. The report stated that the businesses were not willing to make the contribution and therefore the recommendation was to close the project to build a bridge connecting the northern part of the industrial estate via a bridge across the River Goyt.

The report was considered by the Economy and Growth Select Committee on 8 February 2018 which expressed concerns with regards to the closure of the project. It was suggested that negotiations should continue with businesses, stressing the need to address the HGV movements in the town centre which could lead to the re-location of the existing businesses on the industrial estate and the associated costs. It was confirmed that a dialogue would be maintained on these matters, with both the businesses and the Town Council.

Options considered:

- Option 1 – Continue the project as it is. This was not possible without significant financial support from the businesses who would benefit from the project. This support was not in place and therefore any public funding bid would fail. Consequently it would be a poor use of public resources to continue to pursue this option. This option was not recommended.
- Option 2 - Close the project and end the option of a new bridge but work with existing businesses on the estate to support options for growth on or off site. Officers would work to support business expansion both on and off the Bingswood estate, working with businesses to secure funding for growth and identify alternative sites for expansion. This was the recommended option.

RESOLVED:

1. That Council support be switched to assisting individual landowners to bring forward a less ambitious scheme that may deliver at least some improvement to the access issues.
2. That the Council continues to work with existing businesses on the Bingswood estate to facilitate and encourage growth, and to develop resilience to potential disruption which might be caused if the existing bridge fails.

**18/56** **TO RESOLVE THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE MEETING FOR THE FOLLOWING ITEMS BECAUSE THERE MAY BE DISCLOSURE TO THEM OF EXEMPT INFORMATION AS DEFINED IN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972.**  
(Agenda Item 12)

RESOLVED:

That the public and press be excluded from the meeting for the following items because there may be disclosure to them of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972.

**18/57** **TO APPROVE THE EXEMPT MINUTES OF THE PREVIOUS MEETING**  
(Agenda Item 13)

RESOLVED:

That the minutes of the meeting held on 7 December 2017 be approved.

**18/58 PAVILION GARDENS CAPITAL WORKS PHASE 2**  
(Agenda Item 14)

The Executive approved a report the purpose of which was to agree timescales and procurement arrangements for the second phase of the Pavilion Gardens capital works.

The meeting concluded at 6.55 pm

**CHAIRMAN**