

BASSETLAW DISTRICT COUNCIL

Minutes of the Meeting held on 7th March 2019 at Retford Town Hall

Present:	Councillor D Challinor (Chairman)	
Councillors	J R Anderson	G A N Oxby
	H M Brand	D G Pidwell
	D K Brett	D Potts
	H Burton	J Potts
	M Callingham	M W Quigley MBE
	R B Carrington-Wilde	A Rhodes
	M F T Critchley	H M Richards
	K Dukes	M Richardson
	C Entwistle	S Scotthorne
	J Evans	S E Shaw
	S E Farncombe	J C Shephard
	S Fielding	A K Smith
	G Freeman	M Storey
	M T Gray	K Sutton
	K M Greaves	T Taylor
	S A Greaves	C Tindle
	G Jones	A D Tromans
	J A Leigh	C Troop
	D J Merryweather	J White
	J W Ogle	

Officers in attendance: D Armiger, J Hamilton, D Hill, N Taylor, R Theakstone and S Wormald.

(Meeting opened at 6.30pm.)

The Chairman welcomed everyone to the meeting, read out the fire alarm/evacuation procedure, and also enquired as to whether anyone wanted to film/record the meeting in accordance with legislation; however, although there was one member of the public present, this was not taken up.

64. APOLOGIES

Apologies for absence were received from Councillors B A Bowles, G Clarkson, D Hare, S Isard, D R Pressley, J M Sanger MBE and A Simpson.

65. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

Councillor J White declared a non-pecuniary interest in Agenda Item No. 6 – 2nd Question, as she is a Company Director/Board Member of Bursahill; she remained in the meeting.

Councillors H M Brand, S J Fielding, G Jones, H M Richards, J C Shephard, M Storey, T Taylor, M W Quigley and A A D Tromans declared non-pecuniary interests in Agenda Item No. 7 – 1st Motion, as they are school governors; they remained in the meeting.

Councillor D G Pidwell declared a Disclosable Pecuniary Interest in Agenda Item No. 7 – 1st Motion, as he is a casual worker for the Outwood Academy at Valley School, Worksop; he left the meeting.

(b) Officers

D Armiger declared a Disclosable Pecuniary Interest in Agenda Item No. 6 – 2nd Question, as he is a Director of Bersahill; he left the meeting.

66. MINUTES OF THE MEETINGS HELD ON 6TH DECEMBER 2018 AND 31ST JANUARY 2019

RESOLVED that the Minutes of the meetings held on 6th December 2018 and 31st January 2019 be approved.

67. COMMUNICATIONS

Chairman's Communications

The Chair advised Members of two forthcoming events – Commonwealth Day on Monday, 11th March and the Bassetlaw Achievers Awards to be held at Retford Town Hall on 20th March.

Chief Executive's Communications

The Chief Executive reminded Members that the Related Party Declarations should be signed and returned to the committee administrator after the meeting.

Leader's Update

The Leader updated Members on:

- The recent Freedom Ceremony for the Royal British Legion, Worksop and Retford & District Branches.
- The progress of a new scheme of social housing in Worksop following the demolition of two houses to provide access to the site.
- The progress of the development on the former Abbey Grove site.
- The 400th Anniversary celebrations for the Mayflower Pilgrims in 2020.
- He also thanked all those who are taking part in the Bassetlaw Spring Clean.

The Chairman added that he had been very proud to give the Freedom of the District to the Royal British Legion but hoped that they would not want to drive their sheep through the towns!

68. PUBLIC QUESTION TIME

There was one questions by the public of which notice had been given in accordance with Rules of Procedure Number 10.

From Mr Simon Turley:

“Does BDC follow its own policies and the law? If BDC breaks the law and its own policy and it is informed, does it correct its mistakes?”

Response by the Chairman:

“Councils are public bodies and therefore their policies and procedures are open and accountable. The powers and duties of the Council are subject to statute and can be challenged through the legal process. Any failings in administrative processes can be

reviewed by the Local Government Ombudsmen.”

69. QUESTIONS BY MEMBERS

There were two questions by Members of which notice had been given in accordance with Rules of Procedure Number 11.

From Councillor M F T Critchley:

“What are the financial implications to the Council, and what are the ongoing obligations, when Cottam power station closes in September of this year?”

Response by Councillor S A Greaves:

“The cost to the Council in lost Business Rates Income for 2019/20 is estimated to be £0.302m, which can be covered from a reserve created to deal with such sudden fluctuations in Business Rates.

This assumes that the power station reduces output to zero on 1st October 2019. There may be a gradual reduction in power output from 1st October, which will mitigate the loss. However, there may be some reduction in power before 30 September, which could increase the loss.

Under the current regime from 2020/21 onwards, the loss would be £0.604m every year until the loss is taken into account through either a revaluation or a reset of Business Rates.

A full reset is due on 1st April 2020 and a revaluation on 1st April 2021. It is not clear whether the income from power stations will be taken into account on either of these dates. This depends on at what point the Business Rates information is extracted and whether it includes the income or not.

At this stage, it is impossible to calculate the precise impact on Bassetlaw DC until we know the details of Business Rates reform expected later this year, as there are so many variables.

From the limited information available, we estimate that in the worst-case scenario the Council could lose income of up to £3.3m over the next 6 years and the best case is that we lose £0.8m over the same period plus any growth in income. The most likely outcome is somewhere between these figures although this must be treated with caution given the uncertainty surrounding the Business Rates reform.”

Supplementary question from Councillor M F T Critchley:

This has significant financial implications, will there be any recompense from the Government? What about redeployment of the workers and redevelopment of the area? Cottam is a “forgotten village”, even broadband provision had been overlooked! There is talk of an animal food recycling plant on the site, this would be beneficial to the area. Assurances are required.

Response by Councillor S A Greaves:

The Government’s approach to coal-fired power stations is quite clear. The Council has been proactive in talks with the Government over their ratings. Unfortunately, when national infrastructure such as this is decommissioned then it falls on the local authority. We are working with other local authorities, cross-party, directly with the Government, and are optimistic that they will see sense. When it comes to business rates, we are the experts. The site’s future has been under consideration for some time, and we visited this location some time ago. Through the work of the Council and its partners, including the LEP, a visit is taking place on Monday to progress discussions towards a positive future. I met with some parish councils previously to bring much needed jobs to the area and re-use a brownfield site.

Speaking with partners, it is the appetite of the ERDF to see a positive use of the site, depending on its viability. There is nothing clear at the moment but positive dialogue is taking place.

Councillor H Burton added that West Burton is in his Ward. An incinerator is needed for the area and this would be the ideal site. The Chairman halted Councillor Burton as the question was not open for debate.

(D Armiger left the meeting at this point, having declared a Disclosable Pecuniary Interest in the following question.)

From Councillor T Taylor:

“What is the forecast income from the Bersahill Partnership?”

Response by Councillor S A Greaves:

“Bersahill is an independent Company with separate accounting procedures and it is not a matter for the Council to set income forecasts for the Company. Any financial implications for the Council are considered on a site by site basis and these are detailed within the related Cabinet report.”

Supplementary question from Councillor T Taylor:

She expressed concern that if the Council is a partner of Bersahill why is no information available? With regard to Capital spends, what projects will be undertaken by Bersahill? What level of commitment will be given by the Council?

Response by Councillor S A Greaves:

Financial implications were contained within the relevant Cabinet reports. The decisions were taken at Cabinet and given the necessary scrutiny.

(D Armiger returned to the meeting.)

(Councillor D G Pidwell left the meeting at this point, having declared a Disclosable Pecuniary Interest in the following question.)

70. MOTIONS

The Agenda contained four motions, notice of which had been given in accordance with Rules of Procedure Number 12.

(a) Proposed by Councillor J C Shephard and seconded by Councillor S Scotthorne:

“Fixed term exclusions in Bassetlaw Schools are being used on an industrial scale. In 2016-17 Bassetlaw had the fourth highest rate for the use of Fixed Term Exclusions in the country. The disproportionate use of this measure is placing many local children at an educational disadvantage and at risk of harm. This Council calls upon the Secretary of State for Education and Nottinghamshire County Council, and OFSTED as a matter of urgency, to investigate the use of Fixed Term Exclusions in Bassetlaw and to take appropriate action to ensure equal educational opportunities for all and to protect our young people from harm.”

Councillor J C Shephard proposed an alteration to the motion by the insertion of two words in the first sentence:

“Fixed term exclusions in **some** Bassetlaw **secondary** Schools are being used on an industrial scale. In 2016-17 Bassetlaw had the fourth highest rate for the use of Fixed Term Exclusions in the country....”

The Monitoring Officer confirmed that, in accordance with Rule 14.7 of the Council's Constitution, the alteration was permissible. The alteration was agreed across the chamber.

The altered motion was seconded by Councillor S Scotthorne.

Councillors K Sutton, H M Brand, M Richardson, M F T Critchley, J Potts, S E Farncombe, M Storey, K Dukes, S E Shaw, and J C Shephard spoke to the motion.

RESOLVED that the motion be supported, subject to the inclusion of the proposed inclusion by Councillor M F T Critchley to also write to the Regional Schools Commissioner who has responsibility for academies.

(There were two abstentions.)

(Councillor D G Pidwell returned to the meeting.)

(b) Proposed by Councillor D J Merryweather and seconded by Councillor J White:

“Bassetlaw District Council supports the Red Box Project campaign and their endeavour to raise awareness and tackle period poverty which results in an estimate of one in ten girls in schools not able to afford sanitary products.

Bassetlaw District Council will work with public health providers including the County Council and the CCG to ensure that free sanitary products are available in our primary and secondary schools.”

(Councillor M W Quigley left the meeting at this point.)

Councillors S E Shaw, J White and D J Merryweather spoke to the motion.

RESOLVED that the motion be supported.

(c) Proposed by Councillor M Callingham and seconded by Councillor J R Anderson:

“This Council supports the wishes of Queen Street residents in the East Retford West Ward to extend the Victoria Road (Retford Area) Residents Parking area to include Queen Street between the junction of Clumber Street and Prince of Wales Street, and asks that a local petition calling for action by residents be submitted to Nottinghamshire County Council by the Authority.”

Councillors M F T Critchley, J R Anderson and M Callingham spoke to the motion.

RESOLVED that the motion be supported.

(There was one abstention.)

(d) Proposed by Councillor S A Greaves and seconded by Councillor J White:

“This Council resolves to rule out the use of Council owned land and buildings for the use of the hunt during the festive season, or any time of the year.”

Councillors K M Greaves, T Taylor, H Burton, M F T Critchley, A Rhodes, J C Shephard, J White and S A Greaves spoke to the motion.

(Councillor J W Ogle left the meeting during the debate.)

RESOLVED that the motion be supported.

(There was one vote against and two abstentions.)

71. REFERRALS

- (a) Cabinet – 4th December 2018 – Minute No. 85(b) – Equality Objectives 2016-20 – Progress Update (Key Decision No. 502)

RESOLVED that:

1. The Annual Report be noted and approved for publication, subject to editorial amendments, as an accurate record on the outcomes delivered against the Equality Objectives.
2. The definition of Anti-Semitism, as set out by the International Holocaust Remembrance Alliance, be formally adopted.

- (b) Audit and Risk Scrutiny Committee – 12th February 2019 – Minute No. 57(a) – Mazars' External Audit Strategy Memorandum 2018/19

RESOLVED that the Mazars' Audit Strategy Memorandum for the year ending 31st March 2019 be approved.

- (c) Audit and Risk Scrutiny Committee – 12th February 2019 – Minute No. 59(b) – Amendments to the Council Constitution

Councillor R B Carrington-Wilde commended the work involved by both the Audit and Risk Scrutiny Committee and the Planning Committee. He also thanked all those who had served on the Audit and Risk Scrutiny Committee over recent years.

RESOLVED that the revised Scheme of Delegation for Determining Planning Applications, as set out at Appendix 3 of the report, be formally ratified and adopted.

- (d) Cabinet – 14th February 2019 – Minute No. 114(a) - Treasury Management Policy and Strategy 2019/20 to 2021/22 (Key Decision No. 712)

RESOLVED that:

1. The Treasury Management Strategy 2019/20 to 2021/22, incorporating the Borrowing Strategy and the Annual Investment Strategy, as detailed in Appendix 1 of the report, be approved.
2. The Capital Prudential Indicators and Limits for 2019/20 to 2021/22, as detailed in 2.1 of the report, be approved.
3. The Capital Financing Requirements, as detailed in Section 2.2. of the report, be approved.
4. The Affordability Prudential Indicators, as detailed in Section 2.3 of the report, be approved.
5. The Minimum Revenue Provision (MRP) Policy Statement which sets out the Council's policy on MRP, as detailed in Section 2.5 of the report, be approved.
6. The Authorised Limit Prudential Indicator, as detailed in Section 3.2 of the report, be approved.
7. The maturity structure of borrowing, as set out in Section 3.3 of the report, be approved.

- (e) Cabinet – 14th February 2019 – Minute No. 114(b) – General Fund Revenue Budget 2019/20 to 2023/24 (Key Decision No. 729)

RESOLVED that:

1. The Budget for 2019/20 and future years, together with the associated comments from Audit and Risk Scrutiny Committee on 12th February 2019 and Cabinet on 14th February 2019, be approved.
2. A Council Tax increase of £5 for Band D equivalent properties for 2019/20 be approved.
3. The declaration that there will no surplus on the Collection Fund for 2018/19, as summarised in Paragraph 3.44 of the report, be noted.
4. The Business Rates figures shown on the NNDR1 Form be noted regarding:
 - The net yield from local business rates;
 - The cost of collection allowance;
 - The amounts retained in respect of renewable energy schemes;
 - The declared surplus at the end of 2018/19.
4. Delegated authority be conferred to the Cabinet Member for Finance for addressing any issues arising from the Business Ratepayers meeting held on 13th February 2019.
5. Delegated authority be conferred to the Head of Finance and Property to deal with amendments to the Budget for any changes to Drainage Board and Parish Town Council precepts.

- (f) Cabinet – 14th February 2019 – Minute No. 114(d) – Capital Investment Strategy 2019/20 to 2023/24 (Key Decision No. 731)

RESOLVED that the Capital Investment Strategy 2019/20 to 2023/24 be approved.

72. REPORT(S) OF THE CHIEF EXECUTIVE

- (a) Pay Policy Statement 2019/20

Members' approval was sought for the draft Pay Policy Statement for 2019/20 which was appended to the report.

RESOLVED that the draft Pay Policy Statement for 2019/20, as appended to the report, be approved for publication by 1st April 2019.

73. REPORT(S) OF THE DIRECTOR OF CORPORATE RESOURCES AND MONITORING OFFICER

- (a) Community Governance Review – Dunham-on-Trent with Ragnall, Fledborough and Darlton Parish Council – Number of Parish Councillors

Members' approval was sought for the recommendations arising from the Community Governance Review of Dunham-on-Trent with Ragnall, Fledborough and Darlton Parish Council, following a request from the Parish Council to reduce the number of its seats. The report outlined: the reasons for the request; the current and proposed number of parish councillors; consultation; analysis of responses and the law, duties and guidance contained within the Section 93 of the Local Government and Public Involvement in Health Act 2007.

RESOLVED that approval be given for a Reorganisation Order to be made after a period of four weeks from 7th March 2019 to reduce the number of councillors in the parishes of Dunham-on-Trent with Ragnall, Fledborough and Darlton Parish Council with effect from the Parish Council elections in 2019, as follows:

	Number of parish councillors
Darlton	2
Dunham-on-Trent	5
Ragnall	2
Fledborough	2

74. REPORT(S) OF THE RETURNING OFFICER

(a) Review of Polling Districts and Polling Places (Key Decision No. 734)

Members were advised of the proposed review of polling districts and polling places commencing in June 2019 in accordance with the Representation of the People Act 1983 and the Electoral Administration Act 2006.

Members' approval was sought for the establishment of an all-party Member Working Group to assist with the review, the composition to be confirmed at the Council's AGM to be held on 15th May 2019.

RESOLVED that:

1. The commencement of a full review of polling districts and polling places within the District of Bassetlaw be approved.
2. The review be assisted by an all-party Member Working Group to comprise five Members which will be proportional to the Group balance after the 2nd May elections, the composition to be confirmed at the Council's AGM on 15th May 2019.
3. The Terms of Reference of the Review Working Group, as appended to the report, be approved.

Councillor M Richardson thanked the Head of Finance and Property and all officers for the reports on tonight's Agenda.

(A comfort break was taken at this point, 8.06-8.16pm.)

(Councillor D Potts left during the comfort break.)

75. COUNCIL TAX RESOLUTION AND BUDGET HEADLINES 2019/20 (KEY DECISION No. 744)

The Council Tax Resolution and Budget Headlines 2019/20 report included the precept figures for Nottinghamshire County Council, the Nottinghamshire Police and Crime Commissioner, and the Nottinghamshire Fire and Rescue Authority.

Members were asked to approve the recommendations as set out in the report.

Councillor J Evans, Cabinet Member for Finance and Property, presented the Budget proposals for 2019/20, which were seconded by Councillor S A Greaves.

Councillor M F T Critchley responded to the proposals on behalf of the Opposition Group; no alternative Budget proposals were tabled, although she did query the 12.25% increase for the Nottinghamshire Police and Crime Commission (PCC) contribution.

The Chairman replied that the PCC contribution was beyond the Council's control. Bassetlaw is leading the way as a District across the County in respect of its finances. He also thanked the Cabinet Member for Finance and the Head of Finance and Property.

Councillors J White, T Taylor and S A Greaves spoke to the Budget, with Councillor J Evans concluding.

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

Voting for the proposed Budget:

FOR Councillors J R Anderson, H M Brand, D K Brett, H Burton, M Callingham, R B Carrington-Wilde, D Challinor, M F T Critchley, K Dukes, C Entwistle, J Evans, S E Farncombe, S Fielding, G Freeman, M T Gray, K M Greaves, S A Greaves, G Jones, J A Leigh, D J Merryweather, G A N Oxby, D G Pidwell, J Potts, A Rhodes, H M Richards, M Richardson, S Scotthorne, S E Shaw, J C Shephard, M Storey, K Sutton, T Taylor, A D Tromans, C Troop and J White.

AGAINST None

ABSTAINED None

(Councillor A Smith's name was not read out although she was present for the vote.)

RESOLVED that the following be approved:

1. It be noted that on 31st January 2019 the Council calculated the Council Tax Base 2019/20:
 - (a) For the whole Council area as 34,794.99 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended by The Localism Act 2011 (the "Act")]; and
 - (b) For dwellings in those parts of its area to which one or more special items relate as in the attached Appendix C.
2. Calculate that the Council Tax requirement for the Council's own purposes for 2019/20 (excluding Parish precepts and Special Expenses) is £6,036,200.
3. That the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Act:
 - (a) £86,064,700 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils and any additional special expenses.
 - (b) (£78,883,000) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £7,181,700 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 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) £206.40 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts and special expenses).
 - (e) £1,145,500 being the aggregate amount of all special items (Parish precepts and special expenses) referred to in Section 34(1) of the Act (as per the attached Appendix C).

(f) £173.48 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) 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 or special item relates.

4. To note that the County Council, the Police & Crime Commissioner and the Fire & Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.
5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2019/20 for each part of its area and for each of the categories of dwellings.

	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
Bassetlaw District Council	115.65	134.93	154.20	173.48	212.03	250.58	289.13	346.96
Nottinghamshire County Council	914.19	1066.56	1218.92	1371.29	1676.02	1980.76	2285.48	2742.58
Nottinghamshire County Council – Adult Social Care	69.85	81.49	93.13	104.77	128.05	151.33	174.62	209.54
Nottinghamshire Police & Crime Commissioner	146.22	170.59	194.96	219.33	268.07	316.81	365.55	438.66
Nottinghamshire Fire & Rescue Authority	53.20	62.07	70.93	79.80	97.53	115.27	133.00	159.60
Aggregate of Council Tax Requirements	1299.11	1515.64	1732.14	1948.67	2381.70	2814.75	3247.78	3897.34

6. That the Council's basic amount of Council Tax for 2019/20 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.
7. The Council hereby authorises the Section 151 Officer to administer the provisions of the Local Government Finance Acts 1988 and 1992 with regard to the demand, collection and recovery of Council Tax and Non-Domestic Rates and the operation of the Collection Fund.
8. (a) The Council hereby specifies that the Business Rates shall be collected in accordance with respective statutory monthly instalment schemes laid down in Regulations within a 10-month period from April to January, or a 12-month period April to March.
- (b) The Council hereby specifies that the Council Tax shall be collected in accordance with respective statutory monthly instalment schemes laid down in Regulations within a 10-month period from April to January, or a 12-month period April to March, except where agreements are made with the taxpayer to pay in weekly instalments.

- (c) Payments will fall due on the first day of each month except where specific arrangements for Direct Debit apply for Council Tax and Business Rates.

76. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

The Chairman thanked all those Members who were retiring for their work and dedication, and wished all the best to those standing again in May.

Councillor K Sutton thanked the Chief Executive and all the officers for their support over the years; also fellow councillors who, despite differing views, have given her companionship. Differences are accepted and all councillors are working for the residents of Bassetlaw.

As there was no other urgent business to be discussed, the Chairman closed the meeting.

(Meeting closed at 8.52pm.)