

## COUNCIL

Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Monday, 4th March, 2019 at 7.00 pm

**Present:** Councillor Tony Brewer in the Chair;

Councillors Lee Anderson, Chris Baron, Rachel Bissett, Amanda Brown, Tim Brown, Cheryl Butler, Christian Chapman, Don Davis, David Griffiths, Helen Hollis, Tom Hollis, Jackie James, John Knight, Rachel Madden, Cathy Mason, Lauren Mitchell, Keir Morrison, Lachlan Morrison, Nicolle Ndiweni, Christine Quinn-Wilcox, Matthew Relf, Kevin Rostance, Phil Rostance, Robert Sears-Piccavey, Helen-Ann Smith, Mike Smith, John Wilmott, Sam Wilson and Jason Zadrozny.

**Apologies for Absence:** Councillors Jim Aspinall, Joanne Donnelly, Glenys Maxwell, Mick Murphy and Paul Roberts.

**Officers Present:** Lynn Cain, Ruth Dennis, Peter Hudson, Mike Joy, Robert Mitchell, Paul Parkinson and Shane Wright.

### **C.72 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests**

1. Councillor Don Davis declared a Disclosable Pecuniary Interest in relation to agenda item 5a (Annual Budget & Council Tax 2019/20 and Medium Term Financial Strategy (MTFS) Update). His interest arose due to his current employment with the Citizens' Advice Bureau, a recipient of ongoing grant funding from the Council.
2. The Director of Legal and Governance (and Monitoring Officer), on behalf of Members and Officers present at the meeting, declared a general Non Disclosable Pecuniary/Other Interest in respect of items related to the setting of the Council Tax for 2019/2020.

At this point in the proceedings and in accordance with Council Procedure Rule 30.1, Councillor Matthew Relf moved suspension of Council Procedure Rule 16.4, in relation to the "Content and Length of Speeches", to enable the Portfolio Holder for Finance to deliver his budget speech for his allocated total of 15 minutes in one slot rather than over the 3 budget agenda items in 5 minute slots.

Agenda items 3, 4 and 5a would still be taken separately and the Portfolio Holder for Finance would still exercise his right of reply on each motion if required. All other Members wishing to speak would still utilise the five-minute

allocation as prescribed. Having been seconded by Councillor Rachel Madden, the motion was duly carried.

### **C.73 Capital Strategy**

Council was requested to approve the recommendations from the Cabinet meeting held on 18<sup>th</sup> February, 2019 in relation to the Capital Strategy.

RESOLVED that

- a) the proposed Capital Strategy, as appended to the Cabinet report, be approved;
- b) the proposed non treasury Investment Strategy contained within Appendix 1 to the Cabinet report and the annex which documents the process and responsibilities in respect of Commercial Property Investment, be approved;
- c) it be noted that subject to the receipt and evaluation of expected CIPFA guidance in respect of Commercial Investment Property acquisitions, it may be necessary to submit a revised Capital Strategy for Council approval (Capital Strategy paragraph 6.2 refers).

Reason:

The Capital Strategy provides an overarching framework on how capital investment decisions should be undertaken by the Authority. It is a statutory requirement to produce a Capital Strategy from 2019/20.

(During consideration of this item, Councillor Cathy Mason left the room at 7.45 p.m. and returned to the meeting at 7.46 p.m.)

<b><u>Voting Results</u></b>			
<b>Councillor:</b>		<b>Councillor:</b>	
Lee Anderson	For	Glenys Maxwell	<i>Absent</i>
Jim Aspinall	<i>Absent</i>	Lauren Mitchell	Abstain
Chris Baron	For	Keir Morrison	Abstain
Rachel Bissett	Abstain	Lachlan Morrison	Abstain
Tony Brewer	For	Mick Murphy	<i>Absent</i>
Amanda Brown	Abstain	Nicolle Ndiweni	Abstain
Tim Brown	Abstain	Christine Quinn-Wilcox	For
Cheryl Butler	Abstain	Matthew Relf	For
Christian Chapman	For	Paul Roberts	<i>Absent</i>
Don Davis	Abstain	Kevin Rostance	For
Joanne Donnelly	<i>Absent</i>	Phil Rostance	For
David Griffiths	Abstain	Robert Sears-Piccavey	For
Helen Hollis	For	Helen-Ann Smith	For
Tom Hollis	For	Mike Smith	Abstain
Jackie James	Abstain	John Wilmott	For
John Knight	Abstain	Sam Wilson	For
Rachel Madden	For	Jason Zadrozny	For
Cathy Mason	Abstain		

**C.74 Treasury Management Strategy Statement, Minimum Revenue Policy and Prudential Indicators**

Council was requested to approve the recommendations from the Cabinet meeting held on 18<sup>th</sup> February, 2019 in relation to the Treasury Management Strategy Statement, Minimum Revenue Policy and Prudential Indicators.

RESOLVED that

- a) the Annual Investment Strategy, be approved;
- b) the revised Minimum Revenue Provision (MRP) Policy, be approved;
- c) the proposed Prudential Indicators, as outlined in the report, be adopted;
- d) the remaining contents of the Cabinet report, as presented, be noted.

Reasons:

The Treasury Management Strategy Statement recommendations will allow for effective Treasury Management operations within the Authority and the revised Minimum Revenue Provision Policy will ensure that Minimum Revenue Provision (MRP) charges will be applied more effectively.

The Prudential Indicator ratios offer a benchmark by which any future capital expenditure decisions should be made and the Treasury Management Code of Practice requires Council approval of these Policies.

(During consideration of this item, Councillor Lachlan Morrison left the room at 7.49 p.m. and returned to the meeting at 7.51 p.m.)

<b><u>Voting Results</u></b>			
<b>Councillor:</b>		<b>Councillor:</b>	
Lee Anderson	For	Glenys Maxwell	<i>Absent</i>
Jim Aspinall	<i>Absent</i>	Lauren Mitchell	Abstain
Chris Baron	For	Keir Morrison	Abstain
Rachel Bissett	Abstain	Lachlan Morrison	Abstain
Tony Brewer	For	Mick Murphy	<i>Absent</i>
Amanda Brown	Abstain	Nicolle Ndiweni	Abstain
Tim Brown	Abstain	Christine Quinn-Wilcox	For
Cheryl Butler	Abstain	Matthew Relf	For
Christian Chapman	For	Paul Roberts	<i>Absent</i>
Don Davis	Abstain	Kevin Rostance	For
Joanne Donnelly	<i>Absent</i>	Phil Rostance	For
David Griffiths	Abstain	Robert Sears-Piccavey	For
Helen Hollis	For	Helen-Ann Smith	For
Tom Hollis	For	Mike Smith	Abstain
Jackie James	Abstain	John Wilmott	For
John Knight	Abstain	Sam Wilson	For
Rachel Madden	For	Jason Zadrozny	For
Cathy Mason	Abstain		

**C.75 Annual Budget and Council Tax 2019/20 and Medium Term Financial Strategy (MTFS) Update**

Council was requested to approve the recommendations from the Cabinet meeting held on 18<sup>th</sup> February, 2019 in relation to the Annual Budget and Council Tax Setting for 2019/20 and an update for the Medium Term Financial Strategy (MTFS).

(Councillor Don Davis had previously declared a Disclosable Pecuniary Interest in respect of this item. His interest was such that he left the meeting at 7.52 p.m. and took no part in the discussion or voting thereon).

During consideration of the item, the Chief Executive took the opportunity to clarify the reasons for incorporating the suite of recommendations into the report thus ensuring Members could consider the various different financial aspects of the process as part of the Council's overall budget package.

The meeting was adjourned at 8.30 p.m. and reconvened at 8.39 p.m.

(In accordance with Council Procedure Rule 30.1, Councillor Helen-Ann Smith moved suspension of Council Procedure Rule 23 [Conclusion of Proceedings] to enable the meeting to continue until 9.30 p.m. should this be necessary in order for the Council to give proper consideration to the determination of its budget. Having been duly seconded and voted upon, Council agreed with this course of action.)

RESOLVED that

- a) a freeze in the level of the District's own Council Tax for 2019/20, setting the Band D equivalent at £185.46; the same as in 2018/19, be approved;
- b) the proposed Revenue (General Fund) and HRA 2019/20 Budgets as set out in the Cabinet report (Sections 3 and 4), be approved;
- c) the proposed Capital Programme and associated borrowing 2018/19 to 2022/23 as set out in the Cabinet report (Section 5), be approved;
- d) the 2018/19 Revised HRA and Capital Budgets as set out in the Cabinet report (Sections 4 and 5), be approved;
- e) it be noted that the precept figures from Nottinghamshire County Council, Nottinghamshire Fire and Rescue Authority, Police and Crime Commissioner and the two Parish Council's within the District have been incorporated into the Council Tax recommendation to Council;
- f) the estimated financial challenge in the Medium Term Financial Strategy (MTFS) for 2020/2021 and 2021/22, and the planned approach to address the challenge, as outlined in Section 6 of the Cabinet report, be noted;
- g) an updated MTFS be brought back to Cabinet after the 2018/19 Accounts have been closed and audited;

- h) the proposed use of reserves as set out in the Cabinet report (Table 6 (Revenue) and Table 11 (HRA), be approved;
- i) the comments and advice of the Corporate Finance Manager (Section 151 Officer), provided in compliance with Section 25 of the Local Government Act 2003, as to the robustness of the estimates included in the 2019/20 Budget and the adequacy of the reserves for which this budget provides, as outlined in Section 7 of the Cabinet report, be noted and accepted;
- j) the Fees and Charges set out in this report which were not available for inclusion in the Fees and Charges report to Cabinet on 26th November 2018, as outlined in Sections 3.10 to 3.13 of the Cabinet report, be approved;
- k) the use of in-year Capital Receipts up to 2020/21 to maximise capitalisation opportunities arising from service transformation to deliver efficiencies and improved services to residents and clients, thereby minimising the impact of costs on the Revenue Budget as included in the Flexible Use of Capital Receipts Strategy 2018/19 (approved by Council on 11th October 2018), be approved.

**Reason:**

To approve the recommendations in accordance with the Local Government Finance Act 1992, thus ensuring the Council sets its annual budget by 10th March in the preceding financial year.

During consideration of the item, Councillors temporarily left the Chamber as follows:-

Cllr. Rachel Madden	8.01 p.m. until 8.03 p.m.
Cllr. Keir Morrison	8.02 p.m. until 8.06 p.m.
Cllr. John Knight	8.12 p.m. until 8.14 p.m.
Cllr. Helen-Ann Smith	8.26 p.m. until 8.29 p.m.
Cllr. Christian Chapman	8.59 p.m. until 9.01 p.m.
Cllr. Jackie James	9.06 p.m. until 9.08 p.m.
Cllr. Lachlan Morrison	9.06 p.m. until 9.09 p.m.

<b>Voting Results</b>			
<b>Councillor:</b>		<b>Councillor:</b>	
Lee Anderson	For	Glenys Maxwell	<i>Absent</i>
Jim Aspinall	<i>Absent</i>	Lauren Mitchell	Abstain
Chris Baron	For	Keir Morrison	Abstain
Rachel Bissett	Abstain	Lachlan Morrison	Abstain
Tony Brewer	For	Mick Murphy	<i>Absent</i>
Amanda Brown	Abstain	Nicolle Ndiweni	Abstain
Tim Brown	Abstain	Christine Quinn-Wilcox	For
Cheryl Butler	Abstain	Matthew Relf	For
Christian Chapman	For	Paul Roberts	<i>Absent</i>
Don Davis	<i>Absent</i>	Kevin Rostance	For
Joanne Donnelly	<i>Absent</i>	Phil Rostance	For
David Griffiths	Abstain	Robert Sears-Piccavey	For

Helen Hollis	For	Helen-Ann Smith	For
Tom Hollis	For	Mike Smith	Abstain
Jackie James	Abstain	John Wilmott	For
John Knight	Abstain	Sam Wilson	For
Rachel Madden	For	Jason Zadrozny	For
Cathy Mason	Abstain		

### **C.76 Formal Setting of Council Tax 2019/20**

#### RESOLVED

that the Council Tax levels for 2019/20 on the basis of a Band “D” tax level for the District Council’s own expenditure of £185.46 (nil increase), be approved as follows:-

1. That it be noted that on 17th January 2019 the Council calculated the Council Tax Base for 2019/20
  - a. for the whole Council area: **33,542.5**
  - b. for dwellings in those parts of its area to which a Parish precept relates –

The Parish of Annesley and Felley: **548.0**  
The Parish of Selston: **3,710.9**
2. That the calculation of the Council Tax requirement for the Council’s own purposes for 2018/19 (excluding Parish precepts) is **£6,220,792.**
3. That the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Act:

(a) **£64,029,483** 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.

(b) **£57,519,340** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

(c) **£6,510,143** 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.

(d) **£194.09** being the amount at 3(c) above, divided by 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).

(e) **£289,351** being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the tables below).

(f) **£185.46** being the amount at 3(d) above less the result given by dividing the amount at 3(e) above 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 relates.

To note that Nottinghamshire County Council, the Nottinghamshire Police & Crime Commissioner and the Nottinghamshire Fire and 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.

**DETAILS OF INDIVIDUAL COUNCIL TAX AMOUNTS BY PRECEPTOR AND VALUATION BAND**

**Ashfield District Council**

Council Tax Base	33,542.5	2018/19 Band D Council Tax	<b>£185.46</b>
Council Tax Amount	£6,220,792	Percentage increase	0.00%

2019/20 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£123.64	£144.25	£164.85	<b>£185.46</b>	£226.67	£267.89	£309.10	£370.92

## **Nottinghamshire County Council**

Council Tax Base	33,542.5	2018/19 Band D Council Tax	£1,419.43
Council Tax Amount	£49,510,743	Percentage increase	3.99%

2019/20 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£984.04	£1,148.05	£1,312.05	£1,476.06	£1,804.07	£2,132.09	£2,460.10	£2,952.12

## **Nottinghamshire Police and Crime Commissioner**

Council Tax Base	33,542.5	2018/19 Band D Council Tax	£195.39
Council Tax Amount	£7,356,877	Percentage increase	12.25%

2019/20 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£146.22	£170.59	£194.96	£219.33	£268.07	£316.81	£365.55	£438.66

## **Nottinghamshire Fire and Rescue Authority**

Council Tax Base	33,542.5	2018/19 Band D Council Tax	£77.51
Council Tax Amount	£2,676,692	Percentage increase	2.95%

2019/20 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£53.20	£62.07	£70.93	£79.80	£97.53	£115.27	£133.00	£159.60

## **Annesley and Felley Parish Council**

Council Tax Base	548.0	2018/19 Band D Council Tax	£101.26
Council Tax Amount	£55,490	Percentage increase	0.00%

2019/20 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£67.51	£78.76	£90.01	£101.26	£123.76	£146.26	£168.77	£202.52



## **Selston Parish Council**

Council Tax Base	3,710.9	2018/19 Band D Council Tax	£63.02
Council Tax Amount	£233,861	Percentage increase	0.00%

2019/20 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£42.01	£49.02	£56.02	£63.02	£77.02	£91.03	£105.03	£126.04

## **Aggregate of Council Tax Requirements for residents of Annesley and Felley**

Equivalent Council Tax in 2018/19	£1,979.05
Percentage increase	4.19%

A	B	C	D	E	F	G	H
£1,374.61	£1,603.72	£1,832.80	£2,061.91	£2,520.10	£2,978.32	£3,436.52	£4,123.82

## **Aggregate of Council Tax Requirements for residents of Selston**

Equivalent Council Tax in 2018/19	£1,940.81
Percentage increase	4.27%

A	B	C	D	E	F	G	H
£1,349.11	£1,573.98	£1,798.81	£2,023.67	£2,473.36	£2,923.09	£3,372.78	£4,047.34

## **Aggregate of Council Tax Requirements for residents of all other parts of the Council's area**

Equivalent Council Tax in 2018/19	£1,877.79
Percentage increase	4.41%

A	B	C	D	E	F	G	H
£1,307.10	£1,524.96	£1,742.79	£1,960.65	£2,396.34	£2,832.06	£3,267.75	£3,921.30

6. That the Council determine whether the Council's basic amount of Council Tax for 2019/20 is excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

In the Ministry for Housing, Communities and Local Government's report "The Referendums Relating To Council Tax Increases (Principles) (England) Report 2019/20" (published on 29 January 2019), it sets out the circumstances under which a council's Council Tax increase might be regarded as excessive, which would trigger a referendum. These principles have been approved under section 52ZB of the amended Local Government Finance Act 1992.

The principles relating to 2019/20 (Annexe A, Paragraph 5) state that:

**Principles for 2019-20 for authorities belonging to the category mentioned in paragraph 2(c) [Shire district councils]**

5. For 2019-20 the relevant basic amount of council tax of an authority which belongs to the category mentioned in paragraph 2(c) is excessive if the authority's relevant basic amount of council tax for 2019-20 is

(a) 3%, or more than 3%, greater than its relevant basic amount of council tax for 2018-19; and

(b) more than £5 greater than its relevant basic amount of council tax for 2018-19.

This means the authority would need to exceed **both** referendum principles in order to be subject to a referendum; exceeding one principle but not the other would not require a referendum.

Ashfield District Council's basic (Band D) level of Council Tax was £185.46 in 2018/19, and is proposed to be £185.46 in 2019/20, a 0% increase (freeze) at Band D. Therefore it can be determined that the Council would **not** be increasing the Council Tax by an excessive amount.

<b>Voting Results</b>			
<b>Councillor:</b>		<b>Councillor:</b>	
Lee Anderson	For	Glenys Maxwell	<i>Absent</i>
Jim Aspinall	<i>Absent</i>	Lauren Mitchell	Abstain
Chris Baron	For	Keir Morrison	Abstain
Rachel Bissett	Abstain	Lachlan Morrison	Abstain
Tony Brewer	For	Mick Murphy	<i>Absent</i>
Amanda Brown	Abstain	Nicolle Ndiweni	Abstain
Tim Brown	Abstain	Christine Quinn-Wilcox	For
Cheryl Butler	Abstain	Matthew Relf	For
Christian Chapman	For	Paul Roberts	<i>Absent</i>
Don Davis	<i>Absent</i>	Kevin Rostance	For
Joanne Donnelly	<i>Absent</i>	Phil Rostance	For
David Griffiths	Abstain	Robert Sears-Piccavey	For
Helen Hollis	For	Helen-Ann Smith	For
Tom Hollis	For	Mike Smith	Abstain
Jackie James	Abstain	John Wilmott	For
John Knight	Abstain	Sam Wilson	For
Rachel Madden	For	Jason Zadrozny	For
Cathy Mason	Abstain		

The meeting closed at 9.30 pm

Chairman.