

The Arc  
High Street  
Clowne  
Derbyshire  
S43 4JY

Date: 26<sup>th</sup> August 2016

Dear Sir or Madam,

You are summoned to attend a meeting of the Bolsover District Council on Wednesday 7<sup>th</sup> September 2016 at 1000 in the Council Chamber, The Arc, High Street, Clowne.

**Notes for Members:**

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on pages 2 to 3.

Yours faithfully,



Assistant Director – Governance & Solicitor to the Council & Monitoring Officer  
To: Chairman & Members of the Council

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# COUNCIL

## AGENDA

WEDNESDAY 7<sup>TH</sup> SEPTEMBER 2016 AT 1000

| Item No. |  | Page No.(s) |
|----------|--|-------------|
|          | <b>PART 1 – OPEN ITEMS</b>   |             |
| 1.       | <b>Apologies for Absence</b>   |             |
| 2.       | <b>Urgent Items of Business</b><br><br>To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B)4(b) of the Local Government Act 1972   |             |
| 3.       | <b>Declarations of Interest</b><br><br>Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:-<br><br>a) any business on the agenda<br>b) any additional urgent items to be considered<br>c) any matters arising out of the business of those items<br><br>and withdraw from the meeting at the relevant time, if appropriate. |             |
| 4.       | <b>Questions</b><br><br>(a) Questions submitted by the Public pursuant to Rule 4.1.10 of the Council Procedure Rules.  | None        |
|          | (b) Questions submitted by Members pursuant to Rule 4.1.10 of the Council Procedure Rules.   | None        |

- |     |  |                 |
|-----|--|-----------------|
| 5.  | <p><b>Reports on special urgency decisions</b></p> <p>In any event the Leader will submit reports to the Council on the Executive decisions taken in the circumstances set out in Rule 16 (special urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.</p> | None            |
| 6.  | <p><b>Minutes of Last Meeting</b></p> <p>To approve and the Chairman to sign the minutes of the Council Meeting held 15 June 2016.</p>   | See Minute Book |
| 7.  | <p><b>Minute Books</b></p> <p>Members may put questions for clarification in respect of the minutes contained within the latest Minute Books dated 7<sup>th</sup> September 2016.</p>  |                 |
| 8.  | <p><b>Recommended Items</b></p> <p>None.</p>   |                 |
| 9.  | <p>The Work of East Midlands Ambulance Service<br/><b><i>Presentation from Martin Watts (Derbyshire General Manager)</i></b></p>   |                 |
| 10. | <p>Housing STAR Survey<br/><b><i>Presentation from Assistant Director – Community Safety and Head of Housing (BDC)</i></b></p>   |                 |
| 11. | <p>Review Of Electoral Arrangements – Council Size Submission<br/><b><i>Recommendation on Page 8</i></b></p>   | 4 to 41         |
| 12. | <p>Appointment of co-optee to Audit Committee<br/><b><i>Recommendation on page 44</i></b></p>  | 42 to 44        |
| 13. | <p><b>Chairman’s Announcements</b></p> <p>To receive any announcements that the Chair of the Council may desire to lay before the meeting.</p>   |                 |

**Bolsover District Council**

**Council**

**7<sup>th</sup> September 2016**

**REVIEW OF ELECTORAL ARRANGEMENTS – COUNCIL SIZE SUBMISSION**

**Report of the Chief Executive Officer**

This report is public

**Purpose of the Report**

- To consider the Council's draft submission on a council size in response to the Local Government Boundary Commission's review of the Council's electoral arrangements.
- To seek delegation to the Chief Executive to submit the formal council size submission

**1 Report Details**

- 1.1 Attached at **Appendix 1** is a draft response to the Local Government Boundary Commission's invitation to put forward a case for Council size. The issue of Council size is a key factor in determining the scale of the Further Electoral Review (FER).
- 1.2 A FER is triggered where more than 30% of a Council's electoral wards have an electoral variance of more than 10% from the average. In the case of Bolsover 5 electoral wards had an electoral variance of more than 10% from the average and this triggered the review.
- 1.3 In accordance with the Boundary Commission's timetable a draft submission on council size has to be sent to the Commission by 2<sup>nd</sup> September, 2016. This provides the Council with an opportunity to address any issues upon which the Commission may request further information before the deadline for the final council size submission on 2<sup>nd</sup> October, 2016. The draft submission has been sent to the Commission and a response is awaited.

**2 Overview of Council Size submission**

- 2.1 The submission addresses, and supports with evidence, the questions posed in the three broad areas contained in the LGBCE's technical guidance on governance arrangements, scrutiny functions and the representational role of Councillors in the local community.

- 2.2 The detailed evidence of the Council's size submission is set out in **Appendix 1** (note for the purposes of this report Annexes A-C are not attached)
- 2.3 The last periodic review of electoral arrangements in Bolsover was carried out in 1999 and maintained the existing Council size at 37 members but reduced the number of wards from 24 to 20.
- 2.4 This review was conducted shortly before the implementation of the Local Government Act 2000 when the authority moved from the traditional committee system to a Leader and Executive model of governance.
- 2.5 A revised electorate forecast for 2022 is being developed as part of this exercise and early indications are that the Councillor to elector ratio will have risen from 1:1607 in 2016 to around 1:1648 in 2022.

### **3 Summary of the Council's submission**

- 3.1 It is considered that the draft submission satisfies the Commission's aims of being able to:-

“recommend a council size that allows

- the council to take decisions effectively,
- manage the business and responsibilities of the council successfully, and
- provide effective community leadership and representation”

and enables the Council to submit a council size supporting the retention of 37 councillors, on the grounds that the evidence:-

- supports the view that the Council has in place effective decision making processes;
- demonstrates that the Council has efficient and effective arrangements in place for the management and delivery of its business and responsibilities;
- has robust and resilient scrutiny arrangements which hold the executive to account, review policy, monitor performance and scrutinise wider external issues of importance to its communities;
- has extensive and effective leadership and community representation in both the urban and rural areas of Bolsover.;
- will ensure the Council retains sufficient capacity to deliver and enhance its performance in these areas whilst at the same time being able to respond to the future challenges facing local government and the communities of the Bolsover District.

### **4 Summary of Justification**

- 4.1 A summary of the Council's justification for the submission is set out below:-

(1) The most recent external assessments demonstrate that the Council performs

well, for example the external audit of the 2014/15 accounts issued an unqualified audit opinion and concluded that the Authority had made proper arrangements to secure economy, efficiency and effectiveness in its use of resources. The Council also continues to retain its Customer Service Excellence accreditation providing good quality customer service across a variety of channels

The Governance evidence shows that the Council continues to innovate and streamline its decision making processes at officer and councillor level and given its current size has capacity to continue to develop the role of the Councillor within the community as well as delivering efficient and effective decision making processes.

- (2) The current size of the non executive enables it to fulfil effectively its statutory duties and responsibilities, to deliver the Regulatory functions and hold the executive to account, review policy and scrutinise wider external issues. It will also enable it to manage the growing demand placed on non executive members to scrutinise the performance and development of shared service delivery, the strategic management alliance and its likely roles within Combined Authorities and associated partnerships.
- (3) The Council has embraced its role within the Community, demonstrating leadership and effective partnership working with the community, voluntary bodies and other public sector organisations as necessary to deliver its Corporate Plan. Councillors' roles as community leaders and the need for partnership working are likely to become more important given the challenges facing local government. The Council believes that its current size has enabled it to progressively develop and work effectively in these areas, with the engagement and support of the community.
- (4) The existing council size enables Councillors to represent its communities in both the rural and urban areas as individual councillors, effectively dealing with casework and electors' concerns on an individual basis or on emerging issues and concerns.
- (5) The evidence supports the view that the Council is continuing effectively to adapt to the challenges of delivering the aims and service priorities of its Corporate Plan during periods of severe ongoing financial restraint and the impact of new legislation and likely future developments. The ongoing transformation programme is an integral part of this approach.

The Council has recognised the opportunities and benefits of its Strategic Alliance with North East Derbyshire District Council and its shared services with other councils. It has established a range of partnerships including an innovative joint venture to form a trading company for housing and commercial developments.

It is essential that the Council retains the capacity to continue this work and further develop its roles both leading and working with its partners and communities. The capacity is key to delivering, facilitating and enabling improvements in the economy, access to services and the health and well being of communities across the Bolsover District.

## **5 Conclusions and Reasons for Recommendation**

- 5.1 The draft submission is considered to support the retention of 37 councillors, based on the evidence as set out at paragraph 3.1 above. This number enables the Council to ensure it has effective decision making processes and to support the continued delivery, improvement and transformation of services, including through the support of the non-executive councillors.
- 5.2 This report enables Council to consider the draft submission and make comments on the evidence provided before the final version is submitted.
- 5.3 As the formal submission is required to be submitted to the Boundary Commission by 2nd October, it is proposed that the Chief Executive be delegated the authority to submit this on the Council's behalf, following consultation with the Leader of the Council.

## **6 Consultation and Equality Impact**

- 6.1 All Members were asked to complete a survey on the electoral and governance arrangements of the Council. The completed survey responses were considered in the preparation of the draft submission.
- 6.2 One of the aims of the Local Government Boundary Commission's review is to ensure electoral equality for local voters. There are no equality issues arising from this report on the Council's size submission. It is not considered necessary for an equality impact assessment to be completed.

## **7 Alternative Options and Reasons for Rejection**

- 7.1 The Council is not required to make a submission to the Commission on the Council's size, however this option is not recommended as the Council is best placed to provide evidence of its governance and electoral arrangements to justify the number of councillors required for it to perform effectively.

## **8 Implications**

### **8.1 Finance and Risk Implications**

- 8.1.1 There are no additional financial implications arising out of the recommendations of this report.

8.1.2 Risk management issues are outlined in the main body of the report where appropriate.

## **8.2 Legal Implications including Data Protection**

8.2.1 There are no legal implications arising out of the recommendations of this report.

## **8.3 Human Resources Implications**

8.3.1 There are no human resources issues arising from this report.

## **9 Recommendations**

9.1 That Council approve the draft council size submission proposing the retention of 37 Councillors.

9.2 That Council delegate to the Chief Executive, following consultation with the Leader of the Council, authority to submit the final council size submission by 2nd October, 2016, and, in so doing, to respond to any issues or comments made on the draft submission by the Boundary Commission.

## **7 Decision Information**

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| <b>Is the decision a Key Decision?</b><br>(A Key Decision is an executive decision which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards) | No |
| <b>Is the decision subject to Call-In?</b><br>(Only Key Decisions are subject to Call-In)  |    |
| <b>District Wards Affected</b>   |    |
| <b>Links to Corporate Plan priorities or Policy Framework</b>  |    |

## **8 Document Information**

| <b>Appendix No</b> | <b>Title</b>   |
|--------------------|--|
| 1                  | Draft Submission by North East Derbyshire District Council on Council Size |



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| <b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) |                       |
|  |                       |
| <b>Report Author</b>   | <b>Contact Number</b> |
| Peter Smith – Consultant / Dan Swaine – Chief Executive  |                       |

Report Reference –

**DRAFT Submission by Bolsover District Council on Council Size**

| <b>Governance and Decision Making – How does the Council manage its business and take decisions across its full range of responsibilities?</b> |   |
|--|---|
| <p><b>Leadership</b></p> <p>1.1 What kind of Governance arrangements are in place for the Authority?</p>                                       | <p>Pursuant to the last review of electoral arrangements in Bolsover in 1999, the Local Government Act 2000 introduced a requirement for local authorities with a population in excess of 85,000 to move to one of three new political management structures. Each of the new structures included the separation of executive and non-executive arrangements. Those authorities with a population of less than 85,000 could retain a streamlined committee system.</p> <p>The objective was to deliver greater efficiency, transparency and accountability of the decision making processes and strengthen the leadership and engagement of communities. The decision makers were to be held to account in public by overview and scrutiny committees.</p> <p>Although Bolsover District Council then had a population of less than 85,000, it decided, following a public consultation exercise, to move away from the traditional committee system and adopt the Leader and Cabinet model from the Annual Council in May 2000. The Council recognised the opportunity for greater efficiency and accountability in its decision making processes.</p> <p>Bolsover District Council now has in place a ‘Strong Leader model’ where the Leader is elected for a 4 year term of office, appoints the Executive and allocates the executive portfolios. The Leader may appoint up to a maximum of 9 members of the executive.</p> |

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|                                    | <p>In 2015, the Leader streamlined the number of members on the Executive from 7 to 6 and aligned the Executive Portfolios more closely with the emerging 2015-2019 Corporate Plan.</p> <p>The Council hold all out elections every 4 years</p> <p>Under the governance arrangements, the Council discharges all of its functions through Full Council, the Executive and the Regulatory Committees. Full details of the terms of reference of these committees can be accessed in the Council's constitution. <a href="#">Bolsover District Council - Constitution</a></p> <p>In addition, the Council has established effective Scrutiny arrangements and these are explained in more detail in Part 2 below.</p> <p>The Council entered into a strategic alliance with North East Derbyshire District Council in 2011 and shares a joint management team, led by a joint chief executive and joint directors.</p> |
| 1.2 How many portfolios are there? | <p>There are six Executive portfolios as follows:-</p> <ul style="list-style-type: none"> <li>▪ Leader's Portfolio <ul style="list-style-type: none"> <li>- Economic Growth</li> </ul> </li> <li>▪ Customer Services and Revenues and Benefits</li> <li>▪ Community Cohesion, Audit, Legal and Governance</li> <li>▪ Health and Wellbeing</li> <li>▪ Corporate Plan, HR</li> <li>▪ Housing and IT</li> </ul>   |

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| <p>1.3 Describe how a portfolio holder carries out his/her work on a day to day basis</p>  | <p>The Council has recently undertaken a survey of Councillors and this has highlighted a wide range of activities of the Leader and Executive Members.</p> <p>In addition to reading and researching reports, the day to day work includes attendance at or involvement with:-</p> <ul style="list-style-type: none"> <li>▪ Regular informal briefings with the Chief Executive/Executive Directors and other officers</li> <li>▪ Committees and meetings of the Executive</li> <li>▪ Attendance at Regulatory meetings</li> <li>▪ Liaising with non-executive Councillors</li> <li>▪ Partnership and Joint working committees.</li> <li>▪ Conferences (e.g. Local Government Association)</li> <li>▪ Parish Council meetings</li> <li>▪ Residents meetings</li> <li>▪ Dealing with Ward issues</li> <li>▪ Meetings of outside bodies</li> <li>▪ Informal Cabinet meetings with the Executive and the Council's management team</li> <li>▪ Surgeries</li> <li>▪ Elector issues/queries</li> <li>▪ On site/off site training sessions</li> </ul> |
| <p>1.4 To what extent are decisions delegated to portfolio holders or are most decisions taken by the full Executive? What is the volume of decisions taken? How many decisions are taken by officers?</p> | <p>Executive decision making arrangements have been structured to ensure that services are delivered efficiently and effectively.</p> <p>Most Executive decisions are taken collectively at Executive meetings held on a 4 weekly cycle. Where Executive decisions have been delegated to Officers, these will be made in consultation with the Leader and the relevant portfolio holders.</p>   |

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|  | <p>From January 2016 to date, a total of 43 delegated decisions have so far been made by Officers in consultation with the Leader or relevant Portfolio holder. In 2015 a total of 58 delegated decisions were made in consultation with the Leader or Portfolio holder.</p> <p>Additionally, the Leader has specific delegation to distribute funding in relation to the Working Neighbourhood fund and in relation to existing joint working and shared services arrangements.</p>  |
| <p>1.5 Do Executive (or other) members serve on other decision making partnerships, sub-regional or national bodies?</p> | <p>The Leader, Portfolio holders and non-executive Councillors are appointed to a wide range of outside bodies and partnerships. The Council's working relationships with external bodies and other partnerships are central to the aims set out in the Corporate Plan 2015 to 2019.</p> <p>By way of example, Executive and Non-Executive Councillors are appointed to the following bodies:-</p> <ul style="list-style-type: none"> <li>• Association of Public Service Excellence</li> <li>• Local Government Association General Assembly</li> <li>• East Midlands Regional Councils</li> <li>• Peak District and Derbyshire Destination Management Partnership</li> <li>• Sheffield City Region Combined Authority</li> <li>• Sheffield City Region LEP Enterprise Partnership</li> <li>• Sheffield City Region Transport Committee</li> <li>• Sheffield City Region Scrutiny Committee</li> <li>• Sheffield City Region Audit Committee</li> <li>• D2/N2 Local Enterprise partnerships</li> <li>• Derbyshire Police and Crime Panel</li> </ul> <p>Additionally, Councillors serve on a number of Joint Executive and Scrutiny</p> |

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|  | <p>Committees and Boards in respect of the</p> <p>Members serve on a number of Joint Committees and Boards in respect of the following Regional Partnerships:-</p> <ul style="list-style-type: none"> <li>• The Council's strategic alliance with North East Derbyshire District Council is central to the transformation agenda of delivering services at lower costs whilst enhancing service resilience.</li> <li>• Shared Services arrangements with Chesterfield Borough Council, Derbyshire Dales District Council, North East Derbyshire District Council and the Chesterfield Royal Hospital.</li> <li>• Arrangements with Derbyshire County Council amongst others to secure aligned services across the public sector in areas such as health and economic development.</li> <li>• The Community Safety Team and associated statutory partners including the Police.</li> <li>• The Joint Crematorium Committee with Chesterfield Borough Council and North East Derbyshire District Council</li> </ul> <p>Members are required to attend meetings of the above bodies on a regular basis at varying intervals</p> |
| <p>1.6 Is the role of the Executive Member considered to be full time?</p> | <p>The question of whether the role of an Executive Member could be regarded as full time very much depends on how the role is performed and the other commitments of individual councillors.</p>  |

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|   | <p>However, In a recent survey of Councillors, the hours spent undertaking Council business by those Executive Members responding ranged from 30 to 50 hours per week which is a significant time commitment.</p> <p>The Executive Members on average serve on 7.83 committees which is significantly higher than the average of 3.3 according to the LGA member survey in 2013.</p>  |
| <p><b>Regulatory</b></p> <p>1.7 How does the Council discharge its regulation functions? How many members are involved in committees?</p> | <p>A copy of the full list of Committees, Joint Committees, Advisory and Working Groups appointed at the Annual General Meeting is attached. See Annex A.</p> <p>The Council discharges its Regulatory functions principally through the under mentioned Committees.</p> <p><b>Planning Committee</b></p> <p>The Council has delegated extensive planning powers to officers. In general only major planning applications, applications contrary to existing policies, required by the planning protocol or applications called in by Councillors, are dealt with collectively at the Committee.</p> <p>In 2015/16 75% of major planning applications were processed against the target of 60%. This is well above the national target</p> <p>The Planning Committee comprises 18 Members and meets on a four weekly cycle.</p> <p>An annual training session is provided for all members of the planning committee as well as specific induction training for newly elected councillors.</p> <p>A High Hedges Sub-committee of the Planning Committee, comprising 5 members, has been appointed to deal with the handling of complaints and remedial action in</p> |

respect of high hedges under Part 8 of the Anti-Social Behaviour Act 2003.

### **Licensing Committee**

The Licensing Committee comprises 15 members and meets on a 4 weekly cycle.

The Committee deals with all licensing matters including taxi and private hire, licences issued under the Licensing Act 2003, Gambling Act 2005 or any subsequent legislation of a similar nature and the issue of new street trading licenses and scrap metal sites and operators.

Any hearing delegated to the Licensing Committee under the provisions of the Licensing Act 2003 or the Gambling Act 2005 is conducted by a sub-committee thereof.

### **Standards Committee**

The Standards Committee comprises 6 Councillors and two co-opted members. One of the co-opted members is appointed Chair of the Committee each year.

The Standards Committee meets quarterly.

The function of the Standards Committee is to advise on the adoption, revision and operation of the Members Code of Conduct, to grant dispensations and conduct hearings into possible breaches of the code of conduct. Also, to oversee the whistle blowing policy and Ombudsman investigations

### **Audit Committee**

The Audit Committee comprises 6 Councillors and two co-opted members. One of the co-opted members is appointed Chair of the Committee each year.



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|  | <p>The Committee oversees financial controls, treasury management, audit, financial and non financial performance, risk management and corporate governance functions of the Council.</p> <p><b>Safety Committee</b></p> <p>The Safety Committee comprises 5 Councillor and 5 employee representatives. The Committee meets quarterly. The purpose of the Safety Committee is to manage health and safety risks and to secure the health and safety of employees, service users, contractors and any others whomay be affected by the work of the Council.</p> <p><b>Strategic Alliance with North East Derbyshire District Council</b></p> <p>(a) The Council has formed a Strategic Alliance with North East Derbyshire District Council to help maintain service levels in the context of reduced Government funding to local government. A shared chief executive and shared management structure lead the strategic transformation programme covering both councils.</p> <p>(b) To assist in the development of the transformation programme, both councils have established a politically balanced <b>Strategic Alliance Joint Committee</b> comprising nine members from each council. The Committee has no power to make decisions. Any resolutions of the Joint Committee must be referred to each Council's <i>Council meeting</i> (or <i>Cabinet/Executive</i>) for ratification.</p> |
| <p>1.8 Describe the arrangements for the delegation of decisions in respect of regulatory functions?<br/>To what extent are decisions delegated to officers?</p> | <p>The constitution sets out the full extent of the delegation arrangements in respect of regulatory functions. <a href="#">Bolsover District Council - Constitution</a></p> <p>In 2014 the Council amended the delegation scheme to officers by moving to a generic based delegation scheme thereby increasing efficiency in making decisions</p>   |

within the Council. A similar scheme was introduced by the Council's strategic alliance management partner as part of an efficiency improvement in the decision making processes.

The new scheme streamlined decision making for officer decisions by ensuring that the same officer delegations existed in Bolsover District Council and its strategic alliance partner, North East Derbyshire District Council, to carry out the same type of action.

Within this scheme, all Executive Directors and Assistant Directors have powers, inter alia, to

- (1) exercise within approved budgets all matters of day to day administration and operational management of the services and functions for which are responsible.
- (2) take all necessary action to achieve and implement the objectives and actions set out in approved policies, strategies, action plans and decisions of Council or Committees.
- (3) Liaise closely with Portfolio Holders and Chairs of Regulatory Committees and consult with Ward Members as appropriate on politically sensitive or contentious issues

The new scheme illustrates the Council's commitment to ensuring that it continues to maximise the benefits of its Strategic Alliance and improve its efficiency.

In the specific case of the Planning Committee officers' powers to deal with planning applications is limited by exception. In general only major planning applications, applications contrary to existing policies, required by the planning protocol or applications called in by Councillors, are dealt with collectively at the Committee.

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| 1.9 Is committee membership standing or rotating?   | The Standing Committees memberships are approved at the Annual Council meeting each May for the following municipal year.   |
| 1.10 Are meetings ad hoc, frequent and/or area based? How are the Chairs allocated?   | <p>The Council's schedule of meetings is approved by Annual Council in May. The standing committees are scheduled to meet on a monthly basis.</p> <p>Taking the 2015/16 Municipal Year as an example, 180 meetings were held of the Executive bodies, Standing Committees and working bodies shown in Annex "A". This amounts to an average of over 4 meetings per week not including the Council meetings and ad hoc briefings and training sessions.</p> <p>Meetings are not area based, most meetings are held at the Council's central offices.</p> <p>The Chairs and Vice of the Council's Standing Committees are appointed for the duration of the municipal year at the Council's annual general meeting.</p> |
| 1.11 What level of attendance is achieved? Are meetings always quorate?   | <p>The Council has good attendance at meetings For example the Planning Committee in 2015/16 had an attendance of 82%</p> <p>The Council has no issues with inquorate meetings.</p>   |
| 1.12 What future issues may impact on the role of non-executive councillors in respect of regulatory functions? How might the role develop? | <p>In the recent survey of Councillors the majority of members responding referred to the ongoing austerity measures, reductions in grant settlements and changes in Government policy and legislation as likely to increase the demands on their roles. Members particularly referred to the growing impact of:-</p> <ul style="list-style-type: none"> <li>• welfare reforms giving rise to significant increases in their advocacy role within the community in dealing with enquiries and problems related to housing, benefits, care for the elderly and disabled etc.</li> </ul>  |

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|  | <ul style="list-style-type: none"> <li>• the lack of funding streams for voluntary support groups and advice centres</li> <li>• the Localism Agenda and new legislation and government policy, for example, the Housing and Planning Act 2016</li> <li>• devolution, combined authorities, shared services and other partnerships and joint ventures to maintain acceptable levels of service and deliver the Council's aims.</li> </ul> <p>It is likely that there will be a significant impact on the casework and role of Councillors as a result of these developments. The exercise of the regulatory role within the community will require councillors to increasingly engage, work with and represent, residents' organisations, voluntary and community groups.</p> |
| <p><b>The role of Councillors and demands on time</b></p> <p>1.13 Has the Council defined the role of councillors? Has the Council adopted arrangements for training and developing Councillors and supporting them in their role?</p> | <p>A description of Members' roles and responsibilities is set out in the Council's Constitution. <a href="#">Bolsover District Council - Constitution</a></p> <p>The Constitution sets out the purpose, role and responsibilities and skills needed for the following:-</p> <ol style="list-style-type: none"> <li>(1) District Councillor</li> <li>(2) Executive Member</li> <li>(3) Leader of the Council</li> <li>(4) Deputy Leader of the Council</li> <li>(5) Leader of an opposition group</li> <li>(6) Chair of Scrutiny</li> <li>(7) Chair of Planning/Licensing Committees</li> <li>(8) Chair of the Council</li> <li>(9) Vice-Chair of Committees</li> <li>(10) Chair of Standards Committee</li> </ol>   |

The Council has identified the importance of Councillors' roles in delivering efficient and effective decision making, leadership and scrutiny and in helping Members to fulfil their responsibilities to the local community.

It has a corporate objective to achieve the Member Development Charter by 2018. Personal Development plans are almost fully completed for Members and their top training needs have been identified. The plans assist members in reflecting on their strengths and weaknesses as defined against the six core competences for councillors and to understand members' learning and development priorities for the forthcoming year.

The Council has a cross-party working group to oversee, monitor and make recommendations on member development. The Group is committed to supporting the development of councillors and to enable them to engage effectively in the modernisation of local government and to deliver the Council's statutory functions and corporate objectives, and to represent the people of Bolsover District.

The Council has approved a Member Development programme for 2016/17 which builds on the work already undertaken and takes into account the priorities identified by members together with wider legislative issues, corporate aims and organisational requirements,

In addition to the Member Development programme induction training on a broad range of the Council's activities and the role of councillors is provided to newly elected councillors.

In the recent survey of Members, the training and support provided was well received and described by one member as "*varied, effective and pertinent training: some prompted by social or legislative change or by members themselves*".

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| <p>1.14 Has the Council assessed how much time members spend on Council business?</p> <p>1.15 Do Councillors generally find that the time they spend on council business is what they expected?</p> | <p>The Council has recently consulted Members on these issues.</p> <p>Members were asked to indicate how much time they spent on council business. The average time spent by councillors on council business each week is 23 hours.</p> <p>The range of hours indicated varied from 12 hours to 50 hours per week. Nearly 40% of members responding felt that the commitment was more than expected. This is a significant time commitment from Councillors and should be noted. It is important that people are not deterred from becoming Councillors by the extent of the current commitment or any increase in it, which could be the case in the event of a reduction in council size.</p> <p>According to the LGA Members survey 2013, the average councillor spent 20.8 hours per week on council business.</p>  |
| <p>1.16 What is the extent of Councillors representational role on and appointment to outside bodies? How many are involved in this activity and what is their expected workload?</p>               | <p>Attached at Annex “B” is a copy of the formal appointments made by the Council and the Executive to outside bodies.</p> <p>Councillors have extensive representative roles within the Community from serving on other tiers of local government, e.g. county council, parish council to community and voluntary groups, school governors, resident and tenant associations and numerous partnerships and individual projects.</p> <p>The Bolsover district is wholly parished and is largely rural. Approximately half the population live in the District’s four towns of Bolsover, Clowne, Shirebrook and South Normanton.</p> <p>By way of illustrating the commitment to their communities, 89% of the District Councillors serve on one or more Parish Councils which is over twice the national average according to the National Census of Councillors in 2013. Additionally, the</p> |

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|   | <p>District Council hold District and Parish Liaison meetings to which Parish councillors are invited to attend to discuss local government related issues.</p> <p>In terms of representation on outside bodies, the Council's Constitution places a duty and responsibility on councillors to:-</p> <ul style="list-style-type: none"> <li>• participate in the activities of any outside body to which the Councillor is appointed, reporting back to the Council and providing two-way communication between the organisations.</li> <li>• to develop and maintain a working knowledge of the Authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and functions</li> </ul>  |
| <p>1.17 Does the Council have difficulty in retaining councillors or attracting new candidates?</p> | <p>The Council holds all out elections every 4 years.</p> <p>There have been 4 all out District Council elections since the last review of electoral arrangements in 1999.</p> <p>The evidence suggests that more people are attracted to becoming councillors in Bolsover. In 2011 and 2015 the number of candidates standing for election increased by 28.6% compared to the two previous elections in 2003 and 2007.</p> <p>A total of 63 candidates stood for election for the 37 council seats in 2015.</p> <p>Over the period of the last 4 elections, the Council has generally had no issues with retaining councillors. At the 2015 District Council elections 65% of the Councillors elected had been previously elected in 2011.</p> <p>In terms of equality of representation, the percentage of elected Members at Bolsover District Council who are female has risen at each of the last 3 elections. It rose from</p> |

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|  | 35% in May 2011 to the current figure of 40.5%. Nationally, in 2013 around one third (31.7%) of councillors were female (Census of Local Authority Councillors 2013, LGA and NfER, May 2014).  |
| 1.18 Have there been any instances where the Council has been unable to discharge its duties due to a lack of councillors? | No   |
| 1.19 Do Councillors have an individual or ward budget for allocation in their area? If so, how is the system administered? | <p>The Council has adopted a strategic approach to funding community and voluntary groups and other activities within the community. It has a well established Bolsover Partnership which manages a wide range of funding streams and other initiatives which contribute to the aims and objects of its Sustainable Community Strategy.</p> <p>Councillors sit on the Executive Board of the Bolsover Partnership and also engage with the Thematic Action Groups of the partnership.</p> <p>Through the Partnership, the Council provides funding and access to funding for projects in the community by working together with a wide range of partners and other public sector bodies and measures the output of its investments against its corporate aims and objectives.</p> <p>A Bolsover Partnership Funding and Performance Monitoring report on its activities across all thematic groups within communities is submitted to the Council each year.</p> |
| <b>2. Scrutiny of the Council, outside bodies and Others</b>   |  |
| 2.1 What's the structure? How does it operate  | The Council has appointed three themed Scrutiny Committees and a Budget Scrutiny Committee to discharge its scrutiny functions.  |



Following an Independent review of the Scrutiny Structure in 2010, the Council adopted a structure which aligned scrutiny to the Council's Corporate Plan Aims and included a Scrutiny Management Board in addition to the Scrutiny Committees.

The development of a new Corporate Plan in 2015 required a further re-alignment of the scrutiny committees to the new corporate aims and this facilitated a reduction of one scrutiny committee by not re-appointing the Scrutiny Management Board. This resulted in a modest cost saving and a small reduction in the overall number of meetings per year.

The current structure is as follows:-

**Growth Scrutiny Committee** – covering the Growth Corporate Plan Aim.

**Customer Services and Transformation Scrutiny Committee** – covering the Customer Service, including Housing, and Transformation Corporate Plan Aims.

**Healthy, Safe, Clean and Green Communities Scrutiny Committee** – covering the Healthy, Safe, Clean and Green Communities Corporate Plan Aim.

Each of the above committees comprises 10 Members and meets on a 4 weekly cycle.

The Council has also appointed a Budget Scrutiny Committee which consists of all the non-executive councillors and holds on average 5 meetings per year. The Budget Scrutiny Committee provides a forum for scrutiny members to review and scrutinise the Council's financial position. .

In addition, the Council appoints members to scrutinise the following shared services with its partners:-

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|   | <ul style="list-style-type: none"> <li>• 3 members to a joint shared services scrutiny committee with Chesterfield Borough Council and North East Derbyshire District to scrutinise BCN Consultancy (Building Control) and the Internal Audit Consortium.</li> <li>• 3 members to a joint shared services scrutiny committee with Derbyshire Dales District Council and North East Derbyshire District Council in relation to the provision of ICT services.</li> </ul>   |
| <p>2.2 What is the general workload of scrutiny committees? Has the Council ever found that it has had too many active projects for the scrutiny process to function effectively?</p> | <p>The majority of councillors responding to the recent Members' survey believed that the workload of scrutiny was about right in order to be effective.</p> <p>The current size of the non-executive enables the Council to discharge the scrutiny function effectively and to respond to any other ad hoc issues or urgent items of business. For example, it enabled Scrutiny to discuss and respond collectively, during the current consultation period, on a proposal by North Derbyshire Clinical Commissioning Group to close Bolsover Hospital.</p> <p>The Growth Scrutiny Committee is also convening a special meeting to respond to consultation by the Department for Communities and Local Government on "Self-sufficient local government: 100% Business Rates Retention".</p> |
| <p>2.3 How is its work programme developed and implemented? How many subjects at any one time? What's the time-span for a particular study?</p>                                       | <p>The development of the Scrutiny work programme is compiled at an Annual Scrutiny Conference at which the Conference examines the proposals put forward for consideration. Prior to the Conference, all members of the Council and Executive Directors are invited to submit items for consideration by the Scrutiny Committees.</p> <p>Work plans for each of the three Scrutiny Committees for 2016 are now being developed following the Scrutiny Conference and will include key items such as;</p> <ul style="list-style-type: none"> <li>• Development of Growth Performance Indicators</li> </ul>  |

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|  | <ul style="list-style-type: none"> <li>• Creation of a development prospectus for the District</li> <li>• Assessing the impact of Universal Credit – six months after implementation</li> <li>• Provision of GP services in Creswell and Langwith</li> </ul> <p>A typical example of a workplan for a full year is attached at Annex “C”.</p> <p>There is no specific time period for scrutiny projects. It very much depends on the scope of the review. It is expected that scrutiny projects will be completed within the municipal year and a full scrutiny review will include a series of meetings allowing time, as appropriate, for external visits, the taking and gathering of evidence from internal and external persons and report preparation.</p> <p>In addition to in depth reviews, scrutiny may undertake spotlight reviews which are intensive reviews but undertaken over a shorter period.<br/>A scrutiny committee’s workplan will includes in depth and spotlight reviews as well as ongoing of monitoring performance and operational issues relevant to its terms of reference.</p> <p>An annual report on the activities of each Scrutiny Committee is submitted to the Council’s Annual General Meeting.</p> |
| <p>2.4 Are Councillors involved in scrutinising external issues?</p> | <p>Councillors have scrutinised external issues in past and future work programmes and carried out ad hoc reviews in response to urgent issues. The Council recognise the importance of its role in examining the impact of external issues on its communities.</p> <p>As mentioned above in relation to the work programme for 2016/17 scrutiny will examine the issues around the provision of GP services in Creswell and Langwith which is a matter of concern for the local community. It will also be looking at how public health issues integrate with planning policies in relation to the development of lasting communities.</p>   |

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|  | <p>Scrutiny has previously conducted reviews looking at issues arising from the respective perceptions between older and younger people. It has also looked at the work of the community safety partnership and its impact on the community and reviewed the barriers to accessing private sector housing.</p> <p>At the conclusion of the municipal year, the respect Chairs of the Scrutiny Committees submit an annual report to the Annual Council meeting outlining the activities of their Committees in the preceding year.</p>  |
| <p>2.5 When not in scrutiny meetings what activities are councillors expected to undertake?</p>      | <p>In response to the Survey carried out members said that in between attending scrutiny committees:</p> <ul style="list-style-type: none"> <li>• councillors read reports relevant to the work programme,</li> <li>• conduct research and gather evidence,</li> <li>• talk to partners and stakeholders,</li> <li>• prepare questions for scrutiny reviews</li> <li>• attend training sessions/briefings with officers,</li> <li>• meet with local groups and communities</li> <li>• make site visits and meet with interested groups as appropriate</li> <li>• attend pre meeting briefings</li> </ul> <p>Additionally, they will carry out their duties and responsibilities in relation to Regulatory Committees and their work within the communities.</p> |
| <p>2.6 How will the role of the scrutiny member change? What are the emerging issues and trends?</p> | <p>The Council will continue to explore new ways of designing and delivering services, working in partnerships and leading and engaging with the community in order to deliver its Corporate objectives and meet future challenges.</p>   |

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|  | <p>The Council is currently engaged in developing major new initiatives and pursuing ventures working with combined authorities and partners in connection with delivering its growth strategy and major regeneration schemes.</p> <p>Scrutiny Members will have an important and onerous role in looking at the effectiveness of this transformation by challenging the delivery of the Council's services and reviewing policy, policy initiatives and performance.</p> <p>In addition, more scrutiny time will be required from the existing non-executive councillors to ensure the effective scrutiny of external services and other agencies and bodies within the Community. There will be a specific requirement to be involved in the scrutiny of Combined authorities.</p> <p>Scrutiny will need to ensure that as well as capacity, it has the skills, training and flexibility to respond to these challenges.</p> |
| <p>2.7 What kind of support do scrutiny members receive?</p> | <p>Dedicated Officer support is provided to Scrutiny by a Scrutiny Officer other support is provided from within the Governance team.</p> <p>Each Scrutiny Committee will receive additional technical and professional support from Lead Officers as appropriate, depending on the nature of the review being undertaken.</p> <p>All scrutiny members receive training on the general role of scrutiny at induction sessions following elections. Training is refreshed on an ad hoc basis, where appropriate, on specific issues, to support them in carrying out their duties and responsibilities.</p> <p>At the commencement of each Municipal Year, the Scrutiny Officer provides refresher training on how to scope and conduct scrutiny reviews.</p>   |

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|  | <p>Additional, external scrutiny training has been arranged in 2016 from the Local Government Information Unit. This training will be a joint exercise with the Council's strategic partner North East Derbyshire District Council.</p>   |
| <p><b>3. Representational Role: Representing Electors to the Council</b></p>   |   |
| <p>3.1 Has the representational role of Councillors changed since the council last considered how many elected members it should have?</p> | <p>The Communities and Local Government Committee report "Councillors on the front line states</p> <p><i>"that the role of councillors is changing and becoming increasingly community-based. In future, councillors will be expected to spend more time out and about supporting their constituents, working with external organisations (such as GPs, schools, police, local businesses and voluntary organisations) and ensuring communities make the most of all the opportunities available to them".</i></p> <p>The representative role within Bolsover has changed since the last review of its Council size reflecting the Council's response to the challenges of maintaining and delivering new services in a climate of ongoing financial restraint and the impact of new legislation such as the drive for more localism.</p> <p>This has necessarily impacted on the role of councillors both within the Council and in the Community and the need to ensure they have the skills and knowledge to undertake their roles.</p> <p>In the Councillors' survey, members highlighted the increase in casework arising as a consequence of the impact of financial restraints, reform of welfare services and general reductions in services in the public sector and of the demise of other support agencies. Councillors felt their advocacy role was much greater and at the same time there was a rise in public expectation of their roles within the community.</p> |

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|  | <p>Councillors felt that changes in social media and information technology had placed additional demands on councillors. Constituents could now contact Councillors at any time of the day or day of the week and with an expectation that problems would be addressed more quickly through online services and enhanced customer support services.</p> <p>Members referred to the growth of partnerships, agencies, voluntary and community groups all of which placed additional demands on their time.</p> <p>As mentioned previously a high number of District Councillors have other representative roles on parish councils and in voluntary and resident associations.</p> <p>The current capacity enables the Councillors to fulfill these roles and effectively represent and lead their Communities across a broad range of organisations but the impact on time and commitments should be noted.</p> |
| <p>3.2 In general terms, how do Councillors carry out their representational role with electors? Do members mainly respond to casework from constituents or do they have a more active role in the community?</p> <p>3.3 How do councillors generally deal with casework? Do they pass on issues directly to staff or do they take a more in depth approach to resolving issues?</p> | <p>The Council has defined Members' roles and responsibilities in its Constitution.</p> <p>In terms of their representative role with electors, Councillors' key responsibilities are to:</p> <ol style="list-style-type: none"> <li>1. To represent effectively the interests of the Ward for which the Councillor was elected, and deal with constituents' enquiries and Representations</li> <li>2. To champion the improvement of the quality of life of the community in terms of equity, economy and environment</li> <li>3. To represent the Council effectively, when appointed to an outside body, such as a charitable trust or association, etc.</li> </ol>   |

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|   | <p>4. To act at all times with probity and propriety in the best interest of the Council</p> <p>The evidence provided above, in relation to their representative role on outside bodies, demonstrates that Councillors are extremely active leading, engaging with and representing their communities. This includes serving on other tiers of local government, e.g. county council, parish council and community and voluntary groups, school governors, resident and tenant associations and numerous partnerships and individual projects.</p> <p>It is clear from the responses to the Councillors' survey that members undertake both an active role in representing their communities and in responding to casework. Their involvement in the community from representative roles to participating in community activities often being the source of casework issues.</p> <p>Councillors deal with their casework in a variety of ways depending on the problems or particular issues raised with them. Some Councillors have the experience, skills and knowledge, often through their work on the Council or with other bodies and partners, to resolve particular issues.</p> <p>Sometimes they will act as advocates on behalf of their constituents, taking an in depth approach and others will refer issues to the Council's appropriate officers, the customer services centre or signpost to other Agencies or partners.</p> |
| <p>3.4 How Councillors engage with constituents? Do they hold surgeries, public meetings, use IT etc?</p> | <p>Councillors were asked in the survey how they engaged with constituents.</p> <p>Members adopt a variety of ways in which to engage with their communities, including all or some of the following:-</p>   |



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|   | <ul style="list-style-type: none"> <li>• communication by telephone, email</li> <li>• hold surgeries</li> <li>• attending activities within the community</li> <li>• living, working, shopping in the community</li> <li>• organised community and street activities</li> <li>• attending local resident and tenant groups</li> <li>• visiting constituents</li> <li>• helping and supporting constituents with paperwork and accessing services through the use of IT</li> <li>• signposting to other agencies/partners/authorities</li> <li>• leaflet distribution</li> </ul> <p>In general, councillors are proactive within their communities in developing their own means, using local knowledge, of working, supporting and engaging electors.</p> |
| <p>3.5 What support do Councillors receive in discharging their duties in relation to casework and representational role in their ward?</p>                           | <p>The Council support members with their casework and representational role through its officers with professional and technical advice, the provision of relevant contact details and information as ward members.</p> <p>The member support and development programme provides Councillors with the necessary skills and knowledge to help them carry out their role. Additional support is provided by the Governance team and in respect of Civic issues.</p>  |
| <p>3.6 Has the Council put in place any mechanisms for councillors to interact with young people, those not on the electoral register or minority groups or their</p> | <p>The Council is committed to equalities as an employer and in delivering the services it provides to all sections of the community.</p> <p>The Council believes that no person should be treated unfairly and is committed to</p>   |

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| <p>representative bodies?</p> | <p>eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society</p> <p>The Council has published a 2015-2019 Single equality scheme which sets out its approach to promoting equality, human rights and good relations between different groups.</p> <p>A key aim of the Corporate plan is to promote equality and diversity and support vulnerable and disadvantage people.</p> <p>The Council and its Councillors in their role as community leaders mean that they play a key role in building community cohesion, engendering respect and fostering tolerance.</p> <p>The Council has a well developed Community Cohesion project aimed at promoting a joined up approach to tackling community cohesion issues. The project has a wide range of funding partners including Bolsover Partnership, Derbyshire Constabulary, Community Safety Partnership, Derbyshire County Council and the Hardwick Clinical Commissioning Group. The project delivers a range of community cohesion events each year. Since 2009, the Council through its partnership arrangements has been involved in delivering a “Raising Aspirations” project. The project was aimed at raising aspirations and progression in schools post 16.</p> <p>In respect of young people specifically, the Council facilitates a Youth Council which is open to all members of the council.</p> <p>The Youth Council – Young Voice - is made up of 36 youth councillors and comprises six pupils from schools within the district. The Young Voice meets formally four times a year.</p> <p>The aims of the Youth Council are:</p> <ul style="list-style-type: none"> <li>• To build on existing consultation with young people to inform improvements to</li> </ul> |
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|   | <p>service delivery</p> <ul style="list-style-type: none"> <li>• To engage young people in Bolsover in local democratic processes and institutions</li> <li>• To provide schools with a learning tool to enhance the teaching of citizenship</li> <li>• To develop a positive image of young people across the district</li> </ul> <p>The Council has involved the services of the Youth Council in a scrutiny review undertaken to assess the perceptions of older people and younger people. Members of the Council attended a meeting of the Youth Council to gather evidence from their perspective as part of the scrutiny review.</p> <p>The Council has also published a “Citizen Engagement Plan 2016-2017” which sets out how the Council will engage with residents, customers and businesses regarding its services and functions. The target groups referred to in this plan include with people with disabilities, residents, citizens panel, voluntary groups, leisure centre users, etc. The type of engagement ranges from meetings with councillors, surveys both paper and online, seminars etc. it specifically includes targeting young people on citizenship issues.</p> |
| <p>3.7 Are Councillors expected to attend meetings of community bodies such as parish councils or resident associations? What is the level of their involvement and what role do they play?</p> | <p>Councillors attend meetings of various community bodies either to represent the Council or as part of their individual community engagement and representation role.</p> <p>The Council seeks to work closely with Parish Councils and has mechanisms to achieve this such as the District and Parish Liaison Group meetings</p> <p>As previously mentioned, 89% of the District Councillors serve on one or more Parish Councils.</p> <p>There is a general expectation that Councillors will keep up with developments and</p>   |

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|  | events in their communities.   |
| <b>4. The Future</b>   |  |
| <p>4.1 What impact do you think the localism agenda might have on the scope and conduct of council business and how do you think this might affect the role of councillors?</p> <p>4.2 Does the council have any plans to devolve responsibilities and/or assets to community organisations?</p> | <p>The Localism agenda will continue to shape the Council's approach to the delivery of services and the development of policies. It will increasingly have a significant impact on how services are delivered and impact on the role of the Council, Councillors, the Community and its Partners.</p> <p>The aim of the act was to devolve more decision making powers from central government back into the hands of individuals, communities and councils. The act covers a wide range of issues related to local public services, with a particularly focus on the general power of competence, community rights, neighbourhood planning and housing.</p> <p>The Localism Act gives community based organisations new rights to bid to run council services where they can demonstrate they have the capacity to do so and introduced a new set of tools for neighbourhoods to shape the future of their local areas. One of these tools is to bring an optional new tier of plan into the planning system called a Neighbourhood Plan.</p> <p>The Council has developed a neighbourhood planning protocol to support Communities in this process. A number of expressions of interest in the developing neighbourhood plans have been made. One Parish Council has so far successfully applied for its parish to be designated a neighbourhood area.</p> <p>Bids to run Council services and develop neighbourhood plans will increase demands on councillors within their communities in encouraging, supporting and implementing the localism agenda.</p> |

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|  | <p>In terms of Asset Management, in 2015 the Council set itself a target to establish interest from the market to work in partnership to develop a delivery method for the development and or refurbishment of key council owned Assets. It is now in the process of setting up a Joint Venture Company with a private entity to deliver residential and commercial developments on both Council and privately owned land.</p> <p>The aim is to stimulate economic growth by delivering housing and commercial developments. This new initiative is a response to the challenges faced by the Council and will require councillor representation on the Board of the new company. In addition to this initiative, the Council is bringing forward a second Joint Venture model to secure the future of the Pleasley Vale Mills.</p> <p>The Council has also secured Heritage Lottery Funding for the repair and restoration of New Bolsover Model Village and it will work with its partners to undertake this project. A New Bolsover Joint Committee has been established with 10 members to oversee the development.</p> |
| <p>4.3 Have changes to the arrangements for local delivery of services led to significant changes to councillors' workloads? (For example, control of housing stock or sharing services with neighbouring authorities)</p> | <p>As previously mentioned, the Council entered into a strategic alliance with North East Derbyshire District Council in 2011 and share a joint management team, led by a joint chief executive and joint directors. The Strategic alliance has delivered cost reductions, benefits and efficiencies in senior management and delivery of services.</p> <p>The 2013 Joint Corporate Peer Challenge commissioned by Bolsover and North East Derbyshire Councils noted that <i>"Through the Strategic Alliance both councils have achieved a great deal"</i>.</p> <p>In addition to the Strategic Alliance and services shared with North East Derbyshire District Council, the Council has a number of other key shared service arrangements as follows:-</p>  |

- Building Control services shared with Chesterfield Borough Council and North East Derbyshire District Council. Currently being developed is a proposal to extend this sharing arrangement across six district authorities in order to secure a more robust and cost effective service
- ICT Shared Services with Derbyshire Dales District Council and North East Derbyshire District Council
- Joint Crematorium Services with Chesterfield Borough Council
- Procurement services with Chesterfield Royal Hospital.

The delivery of services through the strategic alliance and the shared services arrangements have impacted on the workloads of councillors.

The setting up of the Alliance has increased the workloads of Councillors, both Executive and Non-Executive, with the establishment of a Joint Committee with North East Derbyshire District Council called the Strategic Alliance Joint Committee. The role of the Joint Committee is to take forward the strategic alliance transformation programme.

The Joint Committee comprises nine members from either side and chairmanship rotates annually between both councils. The Joint Committee has no decision-making powers but may make recommendations back to its respective councils. It is scheduled to meet 4 times per year.

In addition, the Alliance established a joint employment committee which comprises 3 members and held 7 meetings in 2015/16.

Additional Shared Services Scrutiny Committees have been established to review the

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|  | <p>services.</p> <p>There is a Shared services scrutiny committee with North East Derbyshire District Council. This comprises 3 members and meets 4 times a year. A Joint ICT Committee has been set up to review the ICT services with Derbyshire Dales District Council and North East Derbyshire District Council, this comprises 3 members and meets 4 times a year.</p> <p>Two members of the Executive sit on the Joint Crematorium Committee with Chesterfield Borough Council.</p>  |
| <p>4.4 Are there any developments in policy ongoing that might significantly affect the role of elected members in the future?</p> | <p>There will be ongoing developments in policy and new initiatives which are likely to affect the role of elected members arising from:-</p> <ul style="list-style-type: none"> <li>• the continued delivery of the aims and objectives and service priorities set out in the Council’s Corporate Plan</li> <li>• how the Council responds to ongoing financial restraint, localism, new legislation and government led changes</li> <li>• the impact of devolution and its involvement with Sheffield City Region and the potential North Midlands Combined Authority</li> </ul> <p>For example, the Council and its strategic alliance partner, North East Derbyshire District Council have both developed a Growth Strategy following an LGA Peer Review in 2013.</p> <p>The joint 5 year Growth Strategy has identified 3 strategic priorities:</p> <ul style="list-style-type: none"> <li>• Supporting Enterprise: Maintaining and growing the business base</li> <li>• Enabling Housing Growth: Increasing the supply, quality and range of housing</li> </ul> |

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|  | <p>to meet the needs of a growing population and support economic growth</p> <ul style="list-style-type: none"> <li>• Unlocking Development Potential: Unlocking the capacity of major employment sites.</li> </ul> <p>Similarly, the Council has in place an extensive range of other strategies to deliver the aims of the Corporate Plan over the next few years. In many cases, this will necessitate a range of partnerships and ventures with suitable partners, communities and public and private sector organisations.</p> <p>This has the potential to impact significantly on the role of all Councillors both Executive and Non-Executive in delivering the Council's aims and scrutinising the effectiveness of those arrangements, reviewing policy and monitoring performance delivery.</p> <p>In terms of devolution, the Council has indicated a preference to be a constituent member of the potential North Midlands Combined Authority and non-constituent member of Sheffield City Region. The Governance arrangements for each Combined Authority will include a combination of a broad range of economic, transport, housing and planning functions.</p> <p>Again, the outcome of devolution and the eventual extent of the governance arrangements has the potential to have a significant impact on both Executive and Non-Executive Councillors.</p> |
| <p>4.5 What has been the impact of recent financial constraints on the council's activities?</p> | <p>The prolonged period of austerity and financial restraint has had a significant impact on the Council's activities and on other public sector bodies within the district of Bolsover.</p> <p>The majority of Councillors responding to the Members' Survey said that the financial constraints experienced by the Council and by other public sector bodies and partners had impacted significantly on services within communities and as a</p>   |



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|  | <p>consequence had increased their workload as councillors.</p> <p>As evidenced by examples previously referred to in this document the Council has pursued strategies to minimise the impact of the financial constraints and deliver the aims of its Corporate Plan 2015-2019.</p> <p>It has formed a strong Strategic Management Alliance with North East Derbyshire District Council to deliver efficiencies and cost savings. It has introduced new ways of delivering services, redesigned services, implemented shared services and developed a transformation programme. It continues to explore new opportunities to work with partners and neighbouring authorities to maintain, improve and deliver its services. It has also looked at options for income generation as a way of improving or sustaining its financial position. This approach will continue for the foreseeable future.</p> <p>The Council's strategies, in the face of continued cuts and the impact of new legislation, are crucial to the future delivery of its statutory responsibilities and other key services. The Council's transformation, the drive for value for money, economies, efficiencies and effective performance delivery will continue.</p> <p>The existing capacity at member level must be maintained to ensure that it can meet those challenges and continue to provide acceptable levels of services and leadership to its Communities which are delivered efficiently, effectively and provide value for money.</p> |
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**Bolsover District Council**

**Council**

**7<sup>th</sup> September 2016**

**Appointment of co-optee to Audit Committee**

**Report of the Solicitor to the Council**

This report is public

**Purpose of the Report**

- As Members are aware, sadly John Yates died recently. He was Chair of both the Audit Committee and the Standards Committee.
- This report proposes temporary arrangements to cover the Audit committee meeting in September and to commence the process for recruiting a new co-optee for the Audit Committee.

**1 Report Details**

1.1 The Audit Committee's Terms of Reference in the Constitution state:-

**3. Membership and Structure of Meetings**

The Audit Committee will have a membership of six plus one co-opted member and reflect the political composition of the Council. A quorum will constitute at least three members of the Committee, including the co-opted member.

The Chair and Vice Chair of the Committee will be elected from its membership.

- 1.2 As can be seen from this, the co-opted member is one of the quorum and therefore must be present for the meeting to proceed properly. Traditionally also the co-opted member is appointed as the Chair of the Committee.
- 1.3 The next meeting of the Audit Committee is the most important of the year. The Committee will consider the Statement of Accounts and recommend them to Council. This has to be done by 30<sup>th</sup> September. If the Committee is not quorate, this cannot be done.
- 1.4 As a temporary solution therefore, Council is being asked to appoint Mrs. Ruth Jaffray (currently the co-opted member on the Standards Committee) to the Audit Committee until such time as a replacement co-opted member is recruited and

Council is asked to appoint to the Audit Committee. Mrs. Jaffray is available and for the next meeting of the Audit Committee on the 21<sup>st</sup> September.

- 1.5 In addition, Council is asked to confirm that a recruitment exercise for a co-opted member to the Audit Committee should be undertaken. This will involve an advert on the website and an interview process.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 There is an urgent need to make a temporary appointment so that the Audit Committee can meet in September and deal with the Statement of Accounts in accordance with the Council's Constitutional requirements.
- 2.2 The only alternative course of action would leave the Council with a legal argument as to the interpretation of the Terms of Reference of the Audit Committee and whether the meeting was quorate or not. I believe the outcome would be that it is not quorate.
- 2.3 Unless members wish to change the Constitution (which I would not recommend doing midterm), there is a need to appoint another co-opted individual to the Audit Committee. Clearly this process should proceed in the meantime.

## **3 Consultation and Equality Impact**

- 3.1 Formal consultation is not required.
- 3.2 There is no equality impact. However equality issues will be taken into account in the recruitment exercise for a new co-opted member.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 As discussed in the report.

## **5 Implications**

### **5.1 Finance and Risk Implications**

- 5.1.1 The risk implication is as outlined in the report, that the Audit Committee is not quorate. The meeting would then (arguably) not be legally held and the Council would have failed to approve its Statement of Accounts by due process and in accordance with its Constitution.
- 5.1.2 in terms of Special Responsibility Allowance, Mrs. Jaffray should be paid a proportion of the Chair's allowance covering the meeting.

### **5.2 Legal Implications including Data Protection**

- 5.2.1 As above and in the report.

### 5.3 **Human Resources Implications**

5.3.1 None

## 6 **Recommendations**

6.1 That Mrs. Ruth Jaffray is appointed to the Audit Committee as the co-opted member until such time as the Council appoints.

6.2 That a recruitment exercise is undertaken for a new co-opted member on Audit Committee in line with the proposals in this report after consultation with Standards Committee

## 7 **Decision Information**

|  |    |
|--|----|
| <b>Is the decision a Key Decision?</b><br>(A Key Decision is an executive decision which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards) | No |
| <b>Is the decision subject to Call-In?</b><br>(Only Key Decisions are subject to Call-In)  | No |
| <b>District Wards Affected</b>   | No |
| <b>Links to Corporate Plan priorities or Policy Framework</b>  | No |

## 8 **Document Information**

| Appendix No  | Title                 |
|--|-----------------------|
|  |                       |
| <b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) |                       |
| <b>None</b>  |                       |
| <b>Report Author</b>   | <b>Contact Number</b> |
| Sarah Sternberg  | 2414/7057             |