

COUNCIL

AGENDA

WEDNESDAY 3rd APRIL 2019 AT 1000 HOURS IN THE COUNCIL
CHAMBER, THE ARC, CLOWNE

Item No.		Page No.(s)
1.	Apologies for Absence	
2.	Declarations of Interest 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:- a) any business on the agenda b) any additional urgent items to be considered c) any matters arising out of the business of those items and withdraw from the meeting at the relevant time, if appropriate.	
3.	Chair's Announcements To receive any announcements that the Chair of the Council may desire to lay before the meeting.	
4.	Minutes To approve the Minutes of the Council meetings held on: a) 20 th February 2019 b) 6 th March 2019	Pages 4 to 12 Pages 13 to 17
5.	Questions from the Public In accordance with Council Procedure Rule 8, to allow members of the public to ask questions about the Council's activities for a period of up to fifteen minutes. A question may only be asked if notice of seven clear working days has been given.	Pages 18 to 20
6.	Questions from Members In accordance with Council Procedure Rule 9, to allow Members to ask questions about Council activities. A question may only be asked if notice of seven clear working days has been given.	None

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| 7. | Motions
In accordance with Council Procedure Rule 10, to consider motions on notice from Members. | None |
| 8. | Reports on urgency decisions taken by the Executive
To receive a report from the Executive with details of any Key Decisions taken under special urgency provisions or Key Decisions which were exempt from Call In. | None |
| 9. | Recommended Items
To receive any items recommended for Council consideration from meetings of the Executive or Committees. | None |
| 10. | Proposed Calendar of Meetings 2019 / 2020.
Report of the Portfolio Holder for Corporate Governance. | Pages 21 to 50 |
| 11. | Part II of the Local Government (Miscellaneous Provisions) Act 1976 within the District of Bolsover.
Report of the Portfolio Holder for Corporate Governance. | Pages 51 to 57 |
| 12. | Joint Employment Committee and Joint Appeals Committee.
Report of the Monitoring Officer. | Pages 58 to 68 |
| 13. | Achievements 2015 - 2019
Presentation given by the Chief Executive Officer. | None |
| 14. | Chairman's Closing Remarks. | |
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Minutes of a meeting of Council held in the Council Chamber, The Arc, Clowne on Wednesday 20th February 2019 at 1000 hours.

PRESENT:-

Members:-

Councillor R. Turner in the Chair

Councillors T. Alexander, A. Anderson, P. Barnes, T. E. Bennet, R.J. Bowler, P. M. Bowmer, T. Cannon, J. A. Clifton, T. J. Connerton, C. P. Cooper, P. A. Cooper, M.G. Crane, M.J. Dooley, S.W. Fritchley, H.J. Gilmour, R. A. Heffer, A. Joesbury, D. McGregor, C. Moesby, B.R. Murray-Carr, K. Reid, J. Ritchie, J. E. Smith, P. Smith, E. Stevenson, A. M. Syrett, K.F. Walker, B. Watson, D.S. Watson and J. Wilson.

Officers:-

D. Swaine (Chief Executive Officer) L. Hickin (Strategic Director - People), K. Hanson (Strategic Director - Place), S. Sternberg (Joint Head of Service for Corporate Governance and Monitoring Officer), D. Clarke (Joint Head of Service – Finance and Revenues & Benefits) and N. Calver (Governance Manager).

0688. APOLOGIES

Apologies for absence were received from Councillors T. Munro and S. Peake

0689. DECLARATIONS OF INTEREST

Members were reminded that any Councillor in arrears of Council Tax by more than two months should not vote in decisions on, or which may effect, budget calculations, and must disclose at the meeting if any of the restrictions applied to them. Further, any Member who is a tenant of a Council property was required to declare an interest but had an automatic dispensation to remain in the room, speak and vote on the item.

The Monitoring Officer gave assurance that each Member of Council, as residents of the District, as Parish Councillors or County Councillors, had an automatic dispensation to remain in the room, speak and vote on item 8 (Medium Term Financial Plan - MTFP).

Councillor J. Smith declared a disclosable pecuniary interest in item 8 (MTFP) as a tenant of a Council property.

Councillor M. J. Dooley declared a disclosable personal interest in item 8 (MTPF) as a tenant of a Council property.

Councillor J. Ritchie declared a significant other interest in item 8 (MTPF) due to his appointment on the Dragonfly Board.

0690. CHAIRS ANNOUNCEMENTS

In his absence the Chairman of the Council requested for Councillor R. Turner to report to Members that the Civic Service would be held on 23rd March at 3pm at St Lawrence's Church, Whitwell. A request was made for the 2nd April 2019 to be reserved in Members' diaries for a fashion show to raise funds for the Chairman's Charity.

0691. QUESTIONS

No questions were submitted to this meeting of Council from either the public under Rule 8 or Members under Rule 9 of the Council Procedure Rules.

0692. URGENT ITEMS OF BUSINESS

There were no urgent items of business considered at the meeting.

0693. MINUTES OF PREVIOUS MEETING

Consideration was given to the Minutes of the meeting of Council held on Wednesday 9th January 2019 as set out in pages 5-10 of the agenda pack.

Proposed by Councillor M. J. Dooley and seconded by Councillor D. McGregor.

RESOLVED that the Minutes of the meeting held on the 9th January 2019 be approved as a correct record and signed by the Chairman.

(Governance Manager)

0694. MOTIONS

No Motions on Notice were submitted by Members to this meeting of Council under Rule 10 of the Council Procedure Rules.

0695. RECOMMENDED ITEMSAmendments to Council Procedure Rule 21.1

The Chairman advised that it was the wish of Members that the report detailing amendments to Council Procedure Rule 21.1 be deferred for consideration at this time and brought back to a future meeting of Council.

Proposed by Councillor A. M. Syrett and seconded by Councillor D. McGregor

RESOLVED that the item be deferred.

(Governance Manager)

0696. MEDIUM TERM FINANCIAL PLAN 2019/20 – 2022/23

The Council considered a report of the Portfolio Holder for Finance and Resources and Renewable Energy which recommended the approval of the proposed budget for 2019/20 for the General Fund, Housing Revenue Account and Capital Programme as part of the Medium Term Financial Plan covering the years 2019/20 – 2022/23.

The report confirmed the position previously reported to the Executive with the estimated out turn for 2018/19, this being that the Council had achieved efficiencies of £1,039,000 which would be transferred to the Transformation Reserve where it could finance the Council's transformation plans, service developments and any restructuring costs.

It was reported that the Government had made changes the way that the New Homes Bonus (NHB) operated in 2017/18 – 2018/19. The number of years for payments to be received was reduced from 6 to 5 and then again reduced down to 4 years in 2018/19. A National baseline had been introduced set at 0.4%. Due to the uncertainty created around the future of NHB payments, prudent estimates had been included in the budget and unfortunately, provisional allocation figures decreased receipts even further for 2019/20 by £110,000 each year to 2022/23. This scheme was not confirmed beyond 2020 and there was a real risk that the scheme would either be ended at this point or its value eroded over the forthcoming years.

It was still too early to clarify the impact of the Fair Funding Review (FFR) but initial modelling indicated that resources would be redirected to those based on need which would impact negatively on most shire Districts. The risk of losses from the FFR was also much greater for District Councils due to their ability to raise Council Tax. This put a greater burden on local decision making in regard to Council Tax setting each year. Members were aware that on conclusion of the one year Business Rates pilot the Council would revert back to the previous funding regime and RSG would have been phased out. A consultation paper had been released at the end of 2018 advising

that Business Rates baselines had been reset and the impact of this had been built into the Budget to mitigate any losses caused by these funding changes.

In regard to the Housing Revenue Account (HRA) for 2018/19 rent levels were set in line with Government regulations with a reduction of 1% and a surplus of £1665.00 was estimated. The proposed budget for 2019/20 showed a surplus of £22,775 and details of this were detailed in Appendix 3 of the report. Although, the main source of income for the HRA was property rents, the HRA was also dependent for its financial stability on a range of other charges. For 2019/20 the charges were recommended to be increased by 2.4%. In preparing the budgets all known factors had been taken into account and included in assumptions.

In accordance with the Local Authorities (Standing Orders) (England) (Amendments) Regulations 2014, a recorded vote was taken on the motion (where matters affected the setting of the Council's Budget or Council Tax)

For the motion – 31

(Councillors T. Alexander, A. Anderson, P. Barnes, T. E. Bennet, R.J. Bowler, P. M. Bowmer, T. Cannon, J. A. Clifton, T. J. Connerton, C. P. Cooper, P. A. Cooper, M.G. Crane, M.J. Dooley, S.W. Fritchley, H.J. Gilmour, R. A. Heffer, A. Joesbury, D. McGregor, C. Moesby, B.R. Murray-Carr, K. Reid, J. Ritchie, J. E. Smith, P. Smith, E. Stevenson, A. M. Syrett, R. Turner, K.F. Walker, B. Watson, D.S. Watson and J. Wilson).

Against the motion – 0

Abstentions – 0

Moved by Councillor B. Watson and seconded by Councillor A. M. Syrett

RESOLVED that:

- 1) It be accepted that in the view of the Chief Financial Officer, the estimates included in the Medium Term Financial Plan 2019/20 – 2022/23 are robust and that the level of financial reserves, whilst at minimum levels, are adequate;
- 2) officers be requested to report back to Executive and the Budget Scrutiny Committee on a quarterly basis regarding the overall position in respect of the Council's budgets. These reports should include updates on achieving the savings and efficiencies necessary to secure a balanced budget for 2020/21 and future years;
- 3) a Council Tax increase of £5.12 be levied in respect of a notional band D property (2.99%);

- 4) the Medium Term Financial Plan in respect of the General Fund as set out in Appendix 1 to the report be approved as the current budget 2018/19, in respect of the budget 2019/20, and the financial projection of 2020/21 to 2022/23;
- 5) any underspend in respect of 2018/19 be transferred to the Transformation Reserve;
- 6) on the basis that income from Planning Fees may exceed £500,000 in 2019/20, the Chief Executive in consultation with the Leader be granted delegated powers to authorise such additional resources as necessary to effectively manage the resultant increase in workload;
- 7) the Council set its rent levels in line with Government Regulations, reducing rent levels by 1% to apply 1st April 2019;
- 8) increases in respect of other charges as outlined in Appendix 3 Table 1 to the report be implemented with effect from 1st April 2019;
- 9) the Medium Term Financial Plan in respect of the Housing Revenue Account as set out in Appendix 3 of the report be approved as the current budget in respect of 2018/19, as the original budget in respect of 2019/20 and the final projection in respect of 2020/21 – 2022/23;
- 10) the Capital Programme as set out in Appendix 4 of the report be approved as the current budget in respect of 2018/19, and as the approved programme of 2019/20 – 2022/23; and
- 11) the Head of Property and Estates be granted delegated powers in consultation with the Portfolio Holder and the Asset Management Group to approve the utilisation of the £260,000 of AMP refurbished work, and such approvals be reported back to Executive through the Quarterly Budget Monitoring report.

(Section 151 Officer)

0697. TREASURY MANAGEMENT STRATEGY REPORTS 2019/20 – 2022/23

Members gave consideration to a report of the Portfolio Holder for Finance and Resources and Renewable Energy which provided the necessary information to approve the Council's Treasury Management Strategies for 2019/20 to 2022/23.

The Councils Treasury Strategies included the Treasury Management Strategy, the Capital Strategy, and the Investment Strategy; all of which were appended to the report.

The Chartered Institute of Public Finance and Accountancy (CIPFA) Code requires for the Council to approve a Treasury Management Strategy before the commencement of each financial year. In addition, it requires for a Capital Strategy to be produced alongside the Treasury Management Strategy. Recent guidance produced by the Ministry of Housing Communities and Local Government further requires for Local Authorities to produce a Corporate Investment Strategy. Therefore, in order to fulfil these requirements three separate Treasury Management Strategies were presented to Council for approval.

Proposed by Councillor B. Watson and seconded by Councillor A. M. Syrett

RESOLVED that

- 1) the Treasury Management Strategy be approved as set out in Appendix 1 to the report including the Borrowing Strategy, the Treasury Management Investment Strategy, Credential Indicators and the use of external Treasury Management Advisors to determine the latest assessment of the counter parties that meet the Council's criteria prior to investment being undertaken;
- 2) the Capital Strategy be approved as set out in Appendix 2 to the report including the Capital Financial Requirement, the Minimum Revenues Provision Statement of 2019/20 detailed within. In particular:
 - Authorised borrowing limit – £131,921,000
 - Operational boundary - £126,921,000
 - Capital Financing requirement - £121,921,000; and
- 3) The Corporate Investment Strategy as set out in Appendix 3 to the report be approved.

(Section 151 Officer)

Councillor J. Ritchie wished to have his abstention from the vote recorded at the in the Minutes.

0698. INTERIM ARRANGEMENTS FOR THE STATUTORY ROLE OF THE SECTION 151 OFFICER

The Joint Chief Executive Officer presented a report to Council seeking approval for the Chief Accountant to be designated as the Section 151 Officer to the Council, on a temporary basis pending appointment of a new Head of Finance and Resources, and to outline the recruitment process for the post.

Members noted that the Joint Head of Finance and Resources had resigned from her post, with the role being vacant from the 1st April 2019. Section 151 of the Local Government Act 1972 required for all Councils to make arrangements for the proper administration of their financial affairs and secure that one of their Officers be responsible for the administration of those affairs.

Therefore, there was a statutory requirement for the Council to appoint a Section 151 Officer during the period of recruitment.

Whilst other options had been investigated, such as securing a temporary arrangement with another Council to meet the statutory requirement, these were not pursued and weight was given to the need to maintain momentum regarding delivery of the MTFP and to ensure that the Section 151 role was met in full. Council believed it required an experienced individual to lead the challenging budget setting and, it was confirmed that the Chief Accountant held the required qualifications and experience to fulfil the role and was currently acting as a Deputy Section 151 Officer.

Members noted that recruitment for the post of Joint Head of Finance and Resources would be undertaken in line with the Council's Recruitment and Selection policy and procedure. The process would be robust, challenging and transparent to ensure high quality and aspirational applicants were identified and interviewed.

Proposed by Councillor A. M. Syrett and seconded by D. McGregor

RESOLVED that the Chief Accountant be temporarily appointed as the Section 151 Officer from the 1st April 2019 pending the recruitment for the Joint Head of Finance and Resources post.

(Chief Executive Officer)

0699. CARBON REDUCTION PLAN

The Strategic Director – People gave a presentation to Members of Council on the Carbon Reduction Plan 2019 to 2030. It was defined that our Carbon Footprint was how we measure our impact on our environment and also the primary source of Climate Change and its negative impacts. With climate change being the second most pressing issue facing our world today there was a growing Global awareness with the effect of Carbon footprint on the planet and a growing appetite for change.

Members were leaders for this change and they could demonstrate this by reducing the use of the Councils consumable energy waste by reducing, reusing, recycling and rethinking the way in which things were done in order to move to a lower carbon lifestyle. The vision for the Authority was to become a District that:

“balances economic prosperity with environmental sustainability, improving the lives of our people for today and the future”.

The Carbon Reduction Plan set out how the Council could commit to this challenge and make changes going forward.

Members noted that the current emissions for the District had dropped over recent years, new technology had been installed in buildings, journeys had been rationalised, and solar power was more widely used. The Council's buildings and work places attributed to 70% of emissions with 15% attributed to its fleet. Targets had been set for 50% reduction in emissions by the District Council by 2030 and an 80% reduction by 2050.

Members were urged not to underestimate the influence that Local Authorities had across a range of sectors and the role that the Council could play in driving Economic Growth and Local Regeneration. In their role as community leaders and having influence in these areas in a way that results in emissions reductions, there is the chance of economic and social benefits for the Council and for the communities of the Bolsover District including:

- reduction in fuel poverty;
- financial and environmental improvement through sustainable buildings, renewable energy and waste reduction;
- infrastructure improvements through Planning;
- environments which have improved biodiversity value; and
- development and support for local jobs.

The Carbon Reduction Plan set out eight thematic areas by which the organisation wished to reduce its Carbon Emissions and these areas would be updated regularly. Council were informed that the Executive had agreed to establish a Carbon Reduction Sub-Group to manage, monitor and review its Carbon Reduction objectives. The Carbon Reduction Plan would become part of the corporate consciousness, becoming the responsibility of every employee and embedded into service plans.

Previously, the Authority had considered installing solar panels at its Waste Management Depot but, on cost analysis it had not been a viable option. The Strategic Director – People advised that this matter could be revisited. Members put forward suggestions such as replacing plastic bags for a more environmentally friendly option for litter pickers and moving towards paperless meetings.

Members wholeheartedly welcomed the presentation and the Carbon Reduction Plan and looked forward to working towards its aims and objectives.

Proposed by Councillor R. Turner and seconded by Councillor A. M. Syrett

RESOLVED that the presentation be noted.

(Strategic Director - Place)

0700. LEISURE – GETTING PEOPLE ACTIVE

The Strategic Director – People showed a short video to Members of Council updating them on the services provided by Leisure for the communities of Bolsover District. These services included swimming, gym facilities, football coaching, group exercise classes, GP referral, sports awards, partnership working, volunteering, and supporting sports clubs.

The Council had seen a 173% increase from 9,800 to 26,800 in monthly visits to its Leisure Facilities since GoActive at The Arc opened. Swimming lesson attendance had increased by 195% and the number attending public swim sessions had increased by 60%. 258 children aged between 2 and 6 had learnt to ride a bike through the balance ability programme and 7,936 people attended the gym every month (an increase of 412%).

The Council staged the 6th Annual School Bowls Championship with 12 schools taking part. 692 children between 10 and 11 years old received pre-tournament coaching and 105 took part in the competition.

The Council had delivered over 700 hours of activities to over 3,000 participants at Pleasley Vale Outdoor Activity Centre, including hosting the Adventure Fest. 21 schools and 8,765 pupils between September and November had taken part in over 13 different sports as part of the Council's school sports programme averaging 770 children per week.

10 Parish Councils had received support through the Active Communities Programme including Elmtun with Creswell, Old Bolsover and Blackwell.

Members thanked officers for the work undertaken to promote and support local leisure within the District.

Moved by Councillor R. Turner and seconded by Councillor M. J. Dooley

RESOLVED that the presentation be noted.

(Strategic Director - Place)

Meeting concluded at 11:12 hours

Minutes of a meeting of Council held in the Council Chamber, The Arc, Clowne on Wednesday 6th March 2019 at 1000 hours.

PRESENT:-

Members:-

Councillor T. Munro in the Chair

Councillors A. Anderson, P. Barnes, P. M. Bowmer, G. Buxton, T. Cannon, J. A. Clifton, T. J. Connerton, M.G. Crane, S.W. Fritchley, H.J. Gilmour, A. Joesbury, D. McGregor, C. R. Moesby, B.R. Murray-Carr, K. Reid, J. E. Smith, P. Smith, S. J. Statter, E. Stevenson, A. M. Syrett, R. Turner, K.F. Walker, B. Watson, D.S. Watson and J. Wilson.

Officers:-

D. Swaine (Chief Executive Officer) L. Hickin (Strategic Director - People), K. Hanson (Strategic Director - Place), V. Dawson (Solicitor – Team Manager – Contentious and Deputy Monitoring Officer), D. Clarke (Joint Head of Service – Finance and Revenues & Benefits) and N. Calver (Governance Manager).

0757. APOLOGIES

Apologies for absence were received from Councillors T. Alexander, J. E. Bennet, R.J. Bowler, C. P. Cooper, P. A. Cooper, M. Dixey, M. J. Dooley, R. Heffer, S. Peake and M. J. Ritchie.

0758. DECLARATIONS OF INTEREST

The Deputy Monitoring Officer offered advice to the Council reminding Members of the requirement for all Councillors who were tenants of a Council property to declare an interest in respect of item 9 (Level of Council Tax 2019/20) and explained the automatic dispensation to remain in the room, speak and vote.

The Deputy Monitoring Officer reminded Members that each Councillor had an exemption for a disclosable pecuniary interest in the Level of Council Tax as residents of the District, as District Councillors, Parish Councillors or County Councillors. For this interest, Members need not declare.

Councillor J. E. Smith declared a disclosable pecuniary interest in in item 9 (Level of Council Tax 2019/20) as a tenant of a Council property.

0759. CHAIRS ANNOUNCEMENTS

The Chairman of the Council, Councillor T. Munro reminded Members that the Civic Service would be held on the 23rd March at 3pm at St. Lawrence's Church, Whitwell. Also, he asked Members to note that a Fashion Show would be held on the 2nd April 2019 at Shirebrook Village Hall and that a Charity Ball would be held on the 24th May 2019, tickets and information was available from the Civic Team. All events were to raise funds for the Chairman's Charity - IVenture 2019.

0760. PUBLIC PARTICIPATION

In accordance with Council Procedure Rule 8 Members of the Public were able to ask questions to an Executive Member about the Council's activities for a period of up to 15 minutes.

No questions were submitted to this meeting of Council under Rule 8 of the Council Procedure Rules.

0761. QUESTIONS FROM MEMBERS

In accordance with Council Procedure Rule 9 Members of Council were able to ask questions about the Council's activities to either the Chair of the Council, Chairman of a specific Committee or a relevant Portfolio Holder.

No questions were submitted to this meeting of Council under Rule 9 of the Council Procedure Rules.

0762. MOTIONS

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

No Motions on Notice were submitted by Members to this meeting of Council under Rule 10 of the Council Procedure Rules.

0763. REPORTS ON URGENCY ITEMS TAKEN BY THE EXECUTIVE

When appropriate, meetings of Council were to receive a report from the Executive detailing any Key Decisions taken under special urgency provisions or Key Decisions exempt from Call-in.

There were no urgency decisions to report to this meeting of Council.

0764. RECOMMENDED ITEMS

There were no items recommended for consideration at this meeting of Council.

0765. LEVEL OF COUNCIL TAX 2019/20

Members gave consideration to a report of the Portfolio Holder for Finance, Resources and Sustainable Energy which recommended the approval of the Levels of Council Tax for the 2019/20 financial year. The Localism Act 2011 required all Billing Authorities to calculate a Council Tax requirement each year. The approved amount on the Collection Fund in respect of Bolsover District Council was £3,875,302.

In order to calculate the Council Tax requirement for Bolsover District Council at the relevant bands, the demand of Derbyshire County Council, the Police Authority, the Fire Authority and local Parish Councils had been taken into account. The table at paragraph 1.5 to the report set out the levels of Council Tax for the year for each of the categories of dwellings.

The report requested approval by Council for the precepts of the relevant Public Authorities operating in the Bolsover District area in order for Council to agree the Council Tax liability for local residents in respect of 2019/20.

In line with the provisions set out within the Councils Constitution, a recorded vote was taken (where matters affecting of the Council's budgets or where Council Tax is considered).

For the Motion – 26

(Councillors A. Anderson, P. Barnes, P. M. Bowmer, G. Buxton, T. Cannon, J. A. Clifton, T. J. Connerton, M.G. Crane, S.W. Fritchley, H.J. Gilmour, A. Joesbury, D. McGregor, C. R. Moesby, T. Munro, B.R. Murray-Carr, K. Reid, J. E. Smith, P. Smith, S. J. Statter, E. Stevenson, A. M. Syrett, R. Turner, K.F. Walker, B. Watson, D.S. Watson and J. Wilson).

Against the Motion – 0

Abstentions – 0

Moved by Councillor B. Watson and seconded by Councillor A. M. Syrett

RESOLVED that

1. the Council Tax for the financial year 2019/20 as set out in the report be approved;
2. as set out in section 1.6 of the report, officers be authorised to undertake the intended duties in accordance with section 223 of the Local Government Act 1997; and
3. the Section 151 Officer be given Delegated Authority to authorise any amendments to the list of names given in 1.6 of the report as may prove necessary through the course of the financial year.

(Section 151 Officer)

0766. JOINT EMPLOYMENT COMMITTEE AND JOINT APPEALS COMMITTEE

Members were minded to defer consideration of the Terms of Reference of the Joint Employment Committee and the Joint Appeals Committee to a future meeting of Council pending further consideration by the Standards Committee and Union consultation in order to provide some clarification on how these committees would operate.

Moved by Councillor D. McGregor and seconded by Councillor A. M. Syrett

RESOLVED that Terms of Reference of the Joint Employment Committee and the Joint Appeals Committee be deferred for consideration by Council pending consideration by the Standards Committee and Unions.

(Monitoring Officer)

0767. BOLSOVER DISTRICT COUNCIL'S APPRENTICESHIPS

Members welcomed Sara Gordon, Human Resources and OD Manager, to the meeting along with some of the Council's Apprentices to give a short presentation on the Apprenticeship Reform and the successes of the Apprentices employed by the Authority.

Members noted that the Joint Apprenticeship Framework was in place at both Bolsover District Council and North East Derbyshire District Council and that all new Apprenticeship posts were paid at the National Living Wage. In 2017/18 12 Apprenticeships had commenced of which five were existing staff, three were new posts and four were created by the Working Neighbourhoods Fund (WNF).

In 2018/19 Bolsover District Council's Apprenticeship starts were almost double the targets set at 23, with 18 being existing staff, one new Apprentice post and four created under the WNF.

Four Apprentices were in attendance at the meeting and spoke to Members about their posts and the qualifications they had achieved or were currently undertaking.

It was noted that the Council aimed to recruit, retain and develop high performing Apprentices together with effective succession planning and building organisational capacity and diversity.

When questioned it was confirmed that no upper age limit applied to Apprenticeship positions and that each position was evaluated for its sustainability within the Council prior to recruitment, including creating career pathways. It was advised that a number of Apprentices undertaking courses in areas of work covered by Housing Services (such as bricklaying and electricians) were employed by Chesterfield College outside of this scheme but worked for the Authority.

The Leader of the Council congratulated the Apprentices the work they had completed so far and the progress against their qualifications and wished them well in their successful careers.

Moved by Councillor A. M. Syrett and seconded by Councillor T. Munro

RESOLVED that the presentation be noted.

(HR and OD Manager)

0768. CHAIRMANS CLOSING REMARKS

The Chairman invited the Leader of the Council to address the meeting. Councillor A. M. Syrett registered the thanks of Members to Dawn Clarke, Joint Head of Finance and Resources and Section 151 Officer, for the work undertaken on the behalf of the Authority over her time at Bolsover District Council. All Members concurred with the congratulations and wished her well with her career going forward.

The meeting concluded at 10:33 hours.

Council – 3rd April 2019

Questions submitted by the Public pursuant to Rule 8 of the Council Procedure Rules.

- i) Question submitted by Mrs Judith Duvall and Mrs Carol Hutchinson to Cllr D McGregor, Deputy Leader and Portfolio Holder for Corporate Governance

In response to the Intergovernmental Panel on Climate Change's 2018 special report on the impacts of global warming of >1.5C above pre-industrial levels which showed that we have less than 12 years to reduce greenhouse gas emissions and avoid the catastrophic impacts of climate change.

Will Bolsover District Council declare a climate emergency and develop an appropriate action plan to achieve net zero carbon by 2030?

Additionally, will they call upon Derbyshire County Council and Derby City Council to declare a climate emergency and develop an appropriate action plan to achieve net zero carbon by 2030?

Extract from the Council's Constitution

**PART 4
RULES OF PROCEDURE**

Council Procedure Rules

8. Questions by the Public

8.1 General.

- (a) Members of the public may ask questions of members of the Cabinet at ordinary meetings of the Council.
- (b) Time allowed for questions and answers shall not, without the consent of the Council, exceed 15 minutes, or in the case of one questioner, 5 minutes.
- (c) Questions and responses shall not be a matter of debate.

8.2 Notice of Questions.

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Monitoring Officer no later than midday seven clear working days before the day of the meeting. Each question must give the name and address of the questioner and must name the Member of the Council to whom it is to be put.

8.3 Number of Questions.

At any one meeting no person may submit more than one question and no more than one question may be asked on behalf of any one organisation.

8.4 Scope of Questions.

The Monitoring Officer may reject a question if:

- (a) it is not about a matter for which the Council has a responsibility or which affects the District;
- (b) it is defamatory, frivolous or offensive;
- (c) it is substantially the same as a question which has been put at a meeting of the Council in the past six months;
- (d) it requires the disclosure of confidential or exempt information;
- (e) it breaches any procedure rule;
- (f) it relates to an item on the agenda for that Council meeting; or
- (g) it relates to a District Council planning application that is in the process of being determined.

Council – 3rd April 2019

If a question is rejected the person who submitted it will be notified in writing before the meeting and given the reasons for the rejection.

8.5 Record of Questions.

The Monitoring Officer will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection. Copies of all questions will be circulated to all members and will be made available to the public attending the meeting.

8.6 Order of Questions.

Questions will be asked in the order of which notice of them was received, except that the Chairman of the Council may group together similar questions.

8.7 Asking the Question at the Meeting.

The Chairman of the Council will invite the questioner to put the question to the member named in the notice. If a questioner who has submitted a written question is unable to be present, the question will not be dealt with.

8.8 Supplementary Question.

A questioner who has put a question in person may also put one brief supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original request or reply. The Chairman of the Council may reject a supplementary question on any of the grounds in rule 8.5 above or if the question takes the form of a speech.

8.9 Response

An answer may take the form of:

- (a) a direct oral answer
- (b) where the desired information is in a council publication or another published work, a reference to that publication; or
- (c) a written answer circulated later to the questioner.

8.10 Reference of Question to the Executive or a Committee.

Unless the Chair of the Council decides otherwise, no discussion will take place on any question, but any Councillor may move that the matter raised by a question be referred to the Executive or the appropriate board or Committee. Once seconded, such a motion will be voted on without discussion.

Bolsover District Council

Council

3rd April 2019

PROPOSED CALENDAR OF MEETINGS 2019/20

Report of the Portfolio Holder for Corporate Governance

This report is public.

Purpose of the Report

- To present for Council's approval the calendar of meetings for 2019/20.

1 Report Details

1.1 Attached at **Appendix 1** is the proposed calendar of meetings for 2019/20.

1.2 The schedule has been drawn up using the rules previously used in relation to:

- Facilitation for consideration of statutory business within legal deadlines;
- Member preferences for commencement times and days of the week;
- Frequency of meetings as set out in the constitution.

1.3 In addition, the schedule has been devised to address some requested changes including:

- An additional meeting of Audit Committee to accommodate both statutory timescales for Audit reports and the performance reporting timescales;
- Reduced timescales between Quarterly performance meetings and consideration by the Executive in order for consideration of timely and relevant information;
- Changes to the establishment of Licensing Committees as considered by the Standards Committee;
- An additional meeting of Standards Committee to accommodate the Committee's responsibility to review the Council's Constitution;
- Frequency of meetings of Scrutiny Committees reduced by 1 (April meeting) to avoid the purdah period;
- A change to the order of meetings for Council and Executive;
- A reduction of Council frequency to a six-weekly basis; and
- A change for the meeting day of Budget Scrutiny Committee.

1.4 Members are asked to note the following points:

- There will again be briefings held prior to the first meetings of Licensing, Planning and Audit and Corporate Governance Scrutiny Committees. This will be an opportunity for Members to refresh themselves about the functions of the committee and their role within it.
- Training for all Chairs and Vice Chairs will be arranged shortly after the Annual Council Meeting.
- All Members and Officers will be electronically invited to the meetings listed in the calendar.
- Governance Officers will arrange briefing meetings when required in advance of any relevant committees. There will be a schedule of these briefing meetings which will tie in with legal requirements for despatch of agendas.

2 Conclusions and Reasons for Recommendation

2.1 To ensure the Council has in place an effective and efficient calendar of meetings for 2019/20 that meets the needs of Members and facilitates decision making in line with statutory deadlines.

3 Consultation and Equality Impact

3.1 The draft schedule has been sent to officers in Performance, Scrutiny and Finance for comment, as well as the Council's Statutory Officers.

4 Alternative Options and Reasons for Rejection

4.1 N/A

5 Implications

5.1 Finance and Risk Implications

5.1.1 N/A

5.2 Legal Implications including Data Protection

5.2.1 N/A

5.3 Human Resources Implications

5.3.1 None

6 Recommendations

- 6.1 That the 2019/20 calendar of meetings, attached at Appendix 1, be approved and the points outlined in paragraph 1.4 be noted.
- 6.2 That delegated authority be granted to the Governance Manager following consultation with the Leader of the Council and the Chairmen of the relevant Committee(s)/Working Group(s) to amend the Calendar of Meetings 2019/20 as and when required.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title
1	Draft Calendar of Meetings 2019/20
Background Papers (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)	
N/A	
Report Author	Contact Number
Nicola Calver, Governance Manager	(01246) 217753

BOLSOVER DISTRICT COUNCIL**APPENDIX 1****MEETING SCHEDULE 2019/20**

<u>W/C: MONDAY, 20 MAY 2019</u>				
Monday – 20 May	Tuesday – 21 May	Wednesday – 22 May	Thursday – 23 May	Friday – 24 May
	10am – Labour Group (Council Chamber)	10am – Annual Meeting of Council (Council Chamber) At the Conclusion of Annual Council a meeting of Council will be held.	1pm – Joint Crematorium Committee (NEDDC) 2pm – Budget Scrutiny Pre-Meeting (Scrutiny Room)	9.30am – SAMT (Executive Meeting Room, NEDDC)
<u>W/C: MONDAY, 27 MAY 2019</u>				
				<u>HALF TERM</u>
Monday – 27 May	Tuesday – 28 May	Wednesday – 29 May	Thursday – 30 May	Friday – 31 May
BANK HOLIDAY	10am – Executive (Council Chamber) 2pm – Audit Committee (Council Chamber)	10am – Local Plan Steering Group (Council Chamber) 10am – Growth Scrutiny Pre-Meeting (Scrutiny Room)	10am – Member Development Working Group (Council Chamber) 2pm – Safety Committee (Council Chamber)	10am – Planning Site Visit

W/C: MONDAY, 3 JUNE 2019

Monday – 3 June	Tuesday – 4 June	Wednesday – 5 June	Thursday – 6 June	Friday – 7 June
<p>10am – Scrutiny Conference (Council Chamber)</p> <p>At the conclusion of the Conference – CST Pre-Meeting (Scrutiny Room)</p>	<p>9.30am – Cabinet (Executive Meeting Room)</p> <p>10am – HSCG Scrutiny Pre-Meeting (Scrutiny Room)</p>	<p>10am – Planning Committee (Council Chamber)</p>	<p>10am – Budget Scrutiny Committee (Council Chamber)</p>	<p>9.30am – SAMT (Cttee Room 1, BDC)</p>

W/C: MONDAY, 10 JUNE 2019

Monday – 10 June	Tuesday – 11 June	Wednesday – 12 June	Thursday – 13 June	Friday – 14 June
<p>2pm – Member Development Session (Council Chamber)</p>	<p>09:30am – Cabinet (Executive Meeting Room)</p> <p>2pm – Pre-Meeting for Executive 24/06 (Executive Meeting Room)</p>	<p>10am – Growth Scrutiny Committee (Council Chamber)</p>	<p>10am – General Licensing Sub Committee (Council Chamber)</p> <p>At the conclusion (and if required) Licensing and Gambling Acts Sub Committee (Council Chamber)</p>	<p>12pm – Equality Panel (Committee Room 1)</p>

W/C: MONDAY, 17 JUNE 2019

Monday – 17 June	Tuesday – 18 June	Wednesday – 19 June	Thursday – 20 June	Friday – 21 June
10am – Customer Service and Transformation Committee (Council Chamber)	10am – Labour Group (Council Chamber)	2pm – Local Plan Steering Group (Council Chamber)	10am – General Licensing Committee (Council Chamber) At the conclusion - Licensing and Gambling Acts Sub Committee (Council Chamber)	10am – Healthy Safe Clean and Green Scrutiny Committee (Council Chamber)

W/C: MONDAY, 24 JUNE 2019

Monday – 24 June	Tuesday – 25 June	Wednesday – 26 June	Thursday – 27 June	Friday – 28 June
10am – Executive (Council Chamber)	09:30am – Cabinet (Executive Meeting Room) 2pm – Strategic Alliance Joint Committee (BDC Council Chamber) 3.30pm – Pre-Meeting for Council (17/07) and Executive 22/07 (Executive Meeting Room)	10am – Growth Scrutiny Pre-Meeting (Scrutiny Room)	10am – UECC Pre-Meeting (Executive Meeting Room) 11am – Union / Employee Consultation Committee (Council Chamber)	9.30am – SAMT (Executive Meeting Room, NEDDC) 10am – Planning Site Visit

W/C: MONDAY, 1 JULY 2019

Monday – 1 July	Tuesday – 2 July	Wednesday – 3 July	Thursday – 4 July	Friday – 5 July
<p>10am – Standards Committee (Council Chamber)</p> <p>10am - CST Scrutiny Pre-Meeting (Scrutiny Room)</p> <p>2pm – Joint ICT Committee (Venue TBC)</p>	<p>LGA CONFERENCE</p> <p>09:30am – Cabinet (Executive Meeting Room)</p>	<p>LGA CONFERENCE</p> <p>10am – Planning Committee (Council Chamber)</p>	<p>LGA CONFERENCE</p> <p>9.30am – Executive Board (Council Chamber)</p>	

W/C: MONDAY, 8 JULY 2019

Monday – 8 July	Tuesday – 9 July	Wednesday – 10 July	Thursday – 11 July	Friday – 12 July
<p>2pm – Member Development Session (Council Chamber)</p>	<p>09.30am – Cabinet (Executive Meeting Room)</p> <p>2pm – Pre-Meeting for Executive 24/06 (Executive Meeting Room)</p>	<p>10am – Growth Scrutiny Committee (Council Chamber)</p> <p>2pm – Pleasley Vale CAJAC</p>	<p>10am – General Licensing Sub Committee (Council Chamber)</p> <p>At the conclusion (and if required) Licensing and Gambling Acts Sub Committee (Council Chamber)</p>	

W/C: MONDAY, 15 JULY 2019

Monday – 15 July	Tuesday – 16 July	Wednesday – 17 July	Thursday – 18 July	Friday – 19 July
10am – Customer Service and Transformation Committee (Council Chamber)	10am – Labour Group (Council Chamber) At the conclusion of Labour Group – HSCG Scrutiny Pre-Meeting (Scrutiny Room)	10am – Council (Council Chamber)	10am – New Bolsover JPC (Council Chamber) 2pm – Budget Scrutiny Pre-Meeting (Scrutiny Room)	9.30am – SAMT (Executive Meeting Room, NEDDC) 10am – Member Development Working Group (Council Chamber)

W/C: MONDAY, 22 JULY 2019

Monday – 22 July	Tuesday – 23 July	Wednesday – 24 July	Thursday – 25 July	Friday – 26 July
10am – Executive (Council Chamber)	9:30am – Cabinet (Executive Meeting Room) 2pm – Audit Committee (Council Chamber)	10am – Quarterly Performance Meeting (Cttee Room 1) 10am – Growth Scrutiny Pre-Meeting (Scrutiny Room)	9.30am - Taxi Licensing and Premises Licensing Training (Council Chamber)	10am – Planning Site Visit

W/C: MONDAY, 29 JULY 2019

Monday – 29 July	Tuesday – 30 July	Wednesday – 31 July	Thursday – 1 August	Friday – 2 August
	9.30am – Cabinet (Executive Meeting Room)	10am – Planning Committee (Council Chamber) 2pm – Local Plan Steering Group (Council Chamber)	10am – Budget Scrutiny Committee (Council Chamber)	10am – Healthy Safe Clean and Green Scrutiny Committee (Council Chamber)

W/C: MONDAY, 5 AUGUST 2019

Monday – 5 August	Tuesday – 6 August	Wednesday – 7 August	Thursday – 8 August	Friday – 9 August
	9.30am – Cabinet (Executive Meeting Room)	10am – Growth Scrutiny Committee (Council Chamber)	RECESS BEGINS	9.30am – SAMT (Cttee Room 1, BDC)

W/C: MONDAY, 12 AUGUST 2019

Monday – 12 August	Tuesday – 13 August	Wednesday –14 August	Thursday –15 August	Friday – 16 August
	09:30am –Cabinet (Executive Meeting Room)		10am Safety Committee Pre- Meeting (Committee Room 1)	

W/C: MONDAY, 19 AUGUST 2019

Monday – 19 August	Tuesday – 20 August	Wednesday –21 August	Thursday–22 August	Friday – 23 August
10am - CST Scrutiny Pre-Meeting (Scrutiny Room)	09:30am –Cabinet (Executive Meeting Room)			9.30am – SAMT (Executive Meeting Room, NEDDC) 10am – Planning Site Visit

W/C: MONDAY, 26 AUGUST 2019

Monday – 26 August	Tuesday – 27 August	Wednesday –28 August	Thursday – 29 August	Friday – 30 August
BANK HOLIDAY	RECESS CONCLUDES 9.30am – Cabinet (Executive Meeting Room) 10am – HSCG Scrutiny Pre-Meeting (Scrutiny Room) 2pm – Pre-Meeting for Council 11/09 and Executive 16/09 (Executive Meeting Room)	10am – Planning Committee (Council Chamber)	10am – General Licensing Sub Committee (Council Chamber) At the conclusion (and if required) Licensing and Gambling Acts Sub Committee (Council Chamber)	12pm – Equality Panel (Committee Room 1)

W/C: MONDAY, 2 SEPTEMBER 2019

Monday 2 September	Tuesday 3 September	Weds 4 September	Thursday 5 September	Friday – 6 September
10am – Customer Service and Transformation Committee (Council Chamber)	9.30am – Cabinet (Executive Meeting Room)	10am – Youth Council (Council Chamber) 10am – Growth Scrutiny Pre-Meeting (Scrutiny Room)	9.30am – Executive Board (Council Chamber) 2pm – Safety Committee (Council Chamber)	9.30am – SAMT (Cttee Room 1, BDC)

W/C: MONDAY, 9 SEPTEMBER 2019

Monday – 9 September	Tues - 10 September	Weds – 11 September	Thursday 12 September	Friday – 13 September
	10am – Labour Group (Council Chamber)	10am – Council (Council Chamber)	10am – New Bolsover JPC (Council Chamber)	10am – Healthy Safe Clean and Green Scrutiny Committee (Council Chamber)

W/C: MONDAY, 16 SEPTEMBER 2019

Monday 16 September	Tuesday 17 September	Weds 18 September	Thurs 19 September	Friday – 20 September
10am – Executive (Council Chamber)	9.30am – Cabinet (Executive Meeting Room) 2.30pm – Joint Board (Council Chamber, BDC)	10am – Growth Scrutiny Committee (Council Chamber)	10am – General Licensing Sub Committee (Council Chamber) At the conclusion (and if required) Licensing and Gambling Acts Sub Committee (Council Chamber)	9.30am – SAMT (Executive Meeting Room, NEDDC) 10am – Planning Site Visit

W/C: MONDAY, 23 SEPTEMBER 2019

Monday 23 September	Tuesday 24 September	Weds 25 September	Thurs 26 September	Friday 27 September
<p>10am – Standards Committee (Council Chamber)</p> <p>10am - CST Scrutiny Pre-Meeting (Scrutiny Room)</p> <p>1pm – Joint Crematorium Committee (Crematorium)</p>	<p>9.30am – Cabinet (Executive Meeting Room)</p> <p>2pm – Strategic Alliance Joint Committee (NEDDC Council Chamber)</p>	<p>10am – Planning Committee (Council Chamber)</p> <p>2pm – Local Plan Steering Group (Council Chamber)</p>	<p>10am – UECC Pre-Meeting (Executive Meeting Room)</p> <p>11am – Union / Employee Consultation Committee (Council Chamber)</p>	

W/C: MONDAY, 30 SEPTEMBER 2019

Mon 30 September	Tuesday – 1 October	Wednesday – 2 October	Thursday – 3 October	Friday – 4 October
	<p>9.30am – Cabinet (Executive Meeting Room)</p> <p>10am – HSCG Scrutiny Pre-Meeting (Scrutiny Room)</p> <p>2pm – Pre-Meeting for Executive 14/10 (Executive Meeting Room)</p>	<p>10am – Growth Scrutiny Pre-Meeting (Scrutiny Room)</p>	<p>10am – Member Development Working Group (Council Chamber)</p>	<p>9.30am – SAMT (Cttee Room 1, BDC)</p>

W/C: MONDAY, 7 OCTOBER 2019

Monday – 7 October	Tuesday – 8 October	Wednesday – 9 October	Thursday – 10 October	Friday – 11 October
10am – Customer Service and Transformation Committee (Council Chamber)	10am – Labour Group (Council Chamber)	10am – Member Development Session (Council Chamber)	10am – General Licensing Committee (Council Chamber) At the conclusion - Licensing and Gambling Acts Sub Committee (Council Chamber)	

W/C: MONDAY, 14 OCTOBER 2019

Monday – 14 October	Tuesday – 15 October	Wednesday – 16 October	Thursday – 17 October	Friday – 18 October
10am – Executive (Council Chamber)	09:30am – Cabinet (Executive Meeting Room) 9.30am - Planning Committee Training (Council Chamber)	10am – Growth Scrutiny Committee (Council Chamber)		10am – Planning Site Visit 10am – Healthy Safe Clean and Green Scrutiny Committee (Council Chamber)

W/C: MONDAY, 21 OCTOBER 2019

Monday – 21 October	Tuesday – 22 October	Wednesday 23 October	Thursday – 24 October	Friday – 25 October
10am - CST Scrutiny Pre-Meeting (Scrutiny Room)	09:30am – Cabinet (Executive Meeting Room) 1pm – Quarterly Performance Meeting (Council Chamber)	10am – Planning Committee (Council Chamber) 2pm – Local Plan Steering Group (Council Chamber)	10am – General Licensing Sub Committee (Council Chamber) At the conclusion (and if required) Licensing and Gambling Acts Sub Committee (Council Chamber)	9.30am – SAMT (Executive Meeting Room, NEDDC)

W/C: MONDAY, 28 OCTOBER 2019**HALF TERM**

Monday – 28 October	Tuesday – 29 October	Wednesday 30 October	Thursday – 31 October	Friday – 1 November
	9.30am – Cabinet (Executive Meeting Room) 10am – HSCG Scrutiny Pre-Meeting (Scrutiny Room) 2pm – Pre-Meeting for Council 13/11 and Executive 18/11 (Executive Meeting Room)			12pm – Equality Panel (Committee Room 1)

W/C: MONDAY, 4 NOVEMBER 2019

Monday – 4 November	Tuesday – 5 November	Wednesday 6 November	Thursday – 7 November	Friday – 8 November
<p>10am – Customer Service and Transformation Committee (Council Chamber)</p> <p>2pm – Joint ICT Committee (Venue TBC)</p>	<p>9.30am – Cabinet (Executive Meeting Room)</p>	<p>10am – Youth Council (Council Chamber)</p> <p>10am – Growth Scrutiny Pre-Meeting (Scrutiny Room)</p>	<p>9.30am – Executive Board (Council Chamber)</p>	<p>9.30am – SAMT (Cttee Room 1, BDC)</p>

W/C: MONDAY, 11 NOVEMBER 2019

Monday 11 November	Tuesday 12 November	Wednesday 13 November	Thursday 14 November	Friday 15 November
	<p>10am – Labour Group (Council Chamber)</p>	<p>10am – Council (Council Chamber)</p>	<p>10am – Member Development Working Group (Council Chamber)</p> <p>2pm – Budget Scrutiny Pre-Meeting (Scrutiny Room)</p>	<p>10am – Healthy Safe Clean and Green Scrutiny Committee (Council Chamber)</p>

W/C: MONDAY, 18 NOVEMBER 2019

Monday 18 November	Tuesday 19 November	Weds 20 November	Thursday 21 November	Friday 22 November
<p>10am – Executive (Council Chamber)</p> <p>10am - CST Scrutiny Pre-Meeting (Scrutiny Room)</p>	<p>09:30am – Cabinet (Executive Meeting Room)</p> <p>10am – Member Development Session (Council Chamber)</p>	<p>10am – Growth Scrutiny Committee (Council Chamber)</p>	<p>10am – General Licensing Sub Committee (Council Chamber)</p> <p>At the conclusion (and if required) Licensing and Gambling Acts Sub Committee (Council Chamber)</p> <p>1pm Safety Committee Pre-Meeting (Committee Room 1)</p>	<p>9.30am – SAMT (Executive Meeting Room, NEDDC)</p> <p>10am – Planning Site Visit</p>

W/C: MONDAY, 25 NOVEMBER 2019

Monday 25 November	Tuesday 26 November	Wednesday 27 November	Thursday 28 November	Friday 29 November
<p>10am – Standards Committee (Council Chamber)</p>	<p>9.30am – Cabinet (Executive Meeting Room)</p> <p>10am – HSCG Scrutiny Pre-Meeting (Scrutiny Room)</p> <p>2pm – Audit Committee (Council Chamber)</p>	<p>10am – Planning Committee (Council Chamber)</p>	<p>10am – Budget Scrutiny Committee (Council Chamber)</p>	

W/C: MONDAY, 2 DECEMBER 2019

Monday – 2 December	Tuesday – 3 December	Wednesday – 4 December	Thursday – 5 December	Friday – 6 December
10am – Customer Service and Transformation Committee (Council Chamber)	9.30am – Cabinet (Executive Meeting Room) 2pm – Pre-Meeting for Executive 16/12 (Executive Meeting Room)		10am – New Bolsover JPC (Council Chamber)	9.30am – SAMT (Cttee Room 1, BDC)

W/C: MONDAY, 9 DECEMBER 2019

Monday 9 December	Tuesday 10 December	Wednesday 11 December	Thursday 12 December	Friday 13 December
	10am – Labour Group (Council Chamber) 2pm – Strategic Alliance Joint Committee (BDC Council Chamber)	2pm – Local Plan Steering Group (Council Chamber)	10am – Member Development Working Group (Council Chamber) 2pm – Safety Committee (Council Chamber)	10am – Healthy Safe Clean and Green Scrutiny Committee (Council Chamber)

W/C: MONDAY, 16 DECEMBER 2019

Monday 16 December	Tuesday 17 December	Wednesday 18 December	Thursday 19 December	Friday – 20 December
10am – Executive (Council Chamber) 1pm – Joint Crematorium Committee (Council Chamber, BDC)	9:30am – Cabinet (Executive Meeting Room) 2pm – Pre-Meeting for Council 15/01 and Executive 20/01 (Executive Meeting Room)		10am – General Licensing Sub Committee (Council Chamber) At the conclusion (and if required) Licensing and Gambling Acts Sub Committee (Council Chamber)	9.30am – SAMT (Executive Meeting Room, NEDDC)

W/C: MONDAY, 23 DECEMBER 2019

Monday 23 December	Tuesday 24 December	Wednesday 25 December	Thursday 26 December	Friday 27 December
		BANK HOLIDAY	BANK HOLIDAY	OFFICE CLOSED

W/C: MONDAY, 30 DECEMBER 2019

Monday 30 December	Tuesday 31 December	Wednesday 1 January	Thursday 2 January	Friday 3 January
OFFICE CLOSED	BANK HOLIDAY			10am – Planning Site Visit

W/C: MONDAY, 6 JANUARY 2020

Monday – 6 January	Tuesday – 7 January	Wednesday – 8 January	Thursday – 9 January	Friday – 10 January
	9.30am – Cabinet (Executive Meeting Room) 2pm – Member Development Session (Council Chamber)	10am – Planning Committee (Council Chamber)	9.30am – Executive Board (Council Chamber)	9.30am – SAMT (Cttee Room 1, BDC)

W/C: MONDAY, 13 JANUARY 2020

Monday – 13 January	Tuesday – 14 January	Wednesday – 15 January	Thursday – 16 January	Friday – 17 January
	10am – Labour Group (Council Chamber)	10am – Council (Council Chamber)	10am – General Licensing Sub Committee (Council Chamber) At the conclusion (and if required) Licensing and Gambling Acts Sub Committee (Council Chamber) 2pm – Budget Scrutiny Pre-Meeting (Scrutiny Room)	

W/C: MONDAY, 20 JANUARY 2020

Monday – 20 January	Tuesday – 21 January	Wednesday – 22 January	Thursday – 23 January	Friday – 24 January
10am – Executive (Council Chamber) 10am - CST Scrutiny Pre-Meeting (Scrutiny Room)	09:30am – Cabinet (Executive Meeting Room) 10am – HSCG Scrutiny Pre-Meeting (Scrutiny Room)		10am – Quarterly Performance Meeting (Cttee Room 1)	10am – Youth Council (Council Chamber)

W/C: MONDAY, 27 JANUARY 2020

Monday – 27 January	Tuesday – 28 January	Wednesday – 29 January	Thursday – 30 January	Friday – 31 January
10am – Standards Committee (Council Chamber)	9:30am – Cabinet (Executive Meeting Room) 2pm – Audit Committee (Council Chamber) 3.30pm – Pre-Meeting for Executive 10/02 (Executive Meeting Room)		10am – Budget Scrutiny Committee (Council Chamber)	9.30am – SAMT (Executive Meeting Room, NEDDC)

W/C: MONDAY, 3 FEBRUARY 2020

Monday – 3 February	Tuesday – 4 February	Wednesday – 5 February	Thursday – 6 February	Friday – 7 February
10am – Customer Service and Transformation Committee (Council Chamber)	10am – Labour Group (Council Chamber) 2pm – Strategic Alliance Joint Committee (BDC Council Chamber) 3.30pm – Pre-Meeting for Council 19/02 and Executive 24/02 (Executive Meeting Room)		10am – UECC Pre-Meeting (Executive Meeting Room) 11am – Union / Employee Consultation Committee (Council Chamber)	10am – Planning Site Visit 10am – Healthy Safe Clean and Green Scrutiny Committee (Council Chamber)

W/C: MONDAY, 10 FEBRUARY 2020				HALF TERM
Monday – 10 February	Tuesday – 11 February	Wednesday – 12 February	Thursday – 13 February	Friday – 14 February
10am – Executive (Council Chamber)	9:30am – Cabinet (Executive Meeting Room)	10am – Planning Committee (Council Chamber) At the conclusion of Planning Committee – Growth Scrutiny Pre-Meeting (Scrutiny Room) 2pm – Local Plan Steering Group (Council Chamber)	10am – Member Development Working Group (Council Chamber)	9.30am – SAMT (Cttee Room 1, BDC) 12pm – Equality Panel (Committee Room 1)
W/C: MONDAY, 17 FEBRUARY 2020				
Monday – 17 February	Tuesday – 18 February	Wednesday – 19 February	Thursday – 20 February	Friday – 21 February
	10am – Labour Group (Council Chamber) AT the conclusion of Labour Group – HSCG Scrutiny Pre-Meeting (Scrutiny Room) 3.30pm – Pre-Meeting for Council 4/03 and Executive 09/03 (Executive Meeting Room)	10am – Council (Council Chamber)	10am – General Licensing Committee (Council Chamber) At the conclusion - Licensing and Gambling Acts Sub Committee (Council Chamber)	

W/C: MONDAY, 24 FEBRUARY 2020

Monday – 24 February	Tuesday – 25 February	Wednesday 26 February	Thursday – 27 February	Friday – 28 February
10am – Executive (Council Chamber)	9:30am – Cabinet (Executive Meeting Room)	10am – Growth Scrutiny Committee (Council Chamber) 2pm – Pleasley Vale CAJAC	10am – General Licensing Sub Committee (Council Chamber) At the conclusion (and if required) Licensing and Gambling Acts Sub Committee (Council Chamber) 1pm - Safety Committee Pre-Meeting (Committee Room 1)	9.30am – SAMT (Executive Meeting Room, NEDDC)

W/C: MONDAY, 2 MARCH 2020

Monday – 2 March	Tuesday – 3 March	Wednesday – 4 March	Thursday – 5 March	Friday – 6 March
10am - CST Scrutiny Pre-Meeting (Scrutiny Room)	10am – Labour Group (Council Chamber)	10am – Council (Council Chamber) At the conclusion of Council – Growth Scrutiny Pre-Meeting (Scrutiny Room)	9.30am – Executive Board (Council Chamber)	10am – Planning Site Visit 10am – Healthy Safe Clean and Green Scrutiny Committee (Council Chamber)

W/C: MONDAY, 9 MARCH 2020

Monday – 9 March	Tuesday – 10 March	Wednesday – 11 March	Thursday – 12 March	Friday – 13 March
10am – Executive (Council Chamber) 2pm – Pre-Meeting for Executive 30/03 (Executive Meeting Room)	9:30am – Cabinet (Executive Meeting Room) 10am – Youth Council (Council Chamber)	10am – Planning Committee (Council Chamber)	10am – New Bolsover JPC (Council Chamber)	9.30am – SAMT (Cttee Room 1, BDC)

W/C: MONDAY, 16 MARCH 2020

Monday – 16 March	Tuesday – 17 March	Wednesday – 18 March	Thursday – 19 March	Friday – 20 March
10am – Customer Service and Transformation Committee (Council Chamber)	9.30am – Cabinet (Executive Meeting Room) 2.30pm – Joint Board (Chesterfield BC)	10am – Growth Scrutiny Committee (Council Chamber)	10am – Member Development Working Group (Council Chamber) 2pm – Safety Committee (Council Chamber)	

W/C: MONDAY, 23 MARCH 2020

Monday – 23 March	Tuesday – 24 March	Wednesday – 25 March	Thursday – 26 March	Friday – 27 March
<p>10am – Member Development Session (Council Chamber)</p> <p>1pm – Joint Crematorium Committee (Chesterfield BC)</p>	<p>10am – Labour Group (Council Chamber)</p> <p>2pm – Strategic Alliance Joint Committee (NEDDC Council Chamber)</p>	<p>2pm – Local Plan Steering Group (Council Chamber)</p>	<p>10am – General Licensing Sub Committee (Council Chamber)</p> <p>At the conclusion (and if required) Licensing and Gambling Acts Sub Committee (Council Chamber)</p>	<p>9.30am – SAMT (Executive Meeting Room, NEDDC)</p>

W/C: MONDAY, 30 MARCH 2020**EASTER HOLIDAYS**

Monday – 30 March	Tuesday – 31 March	Wednesday – 1 April	Thursday – 2 April	Friday – 3 April
<p>10am – Executive (Council Chamber)</p> <p>2pm – Joint ICT Committee (Venue TBC)</p>	<p>9:30am – Cabinet (Executive Meeting Room)</p>			

W/C: MONDAY, 6 APRIL 2020**EASTER HOLIDAYS**

Monday – 6 April	Tuesday – 7 April	Wednesday – 8 April	Thursday – 9 April	Friday – 10 April
	9.30am – Cabinet (Executive Meeting Room) 2pm – Pre-Meeting for Council 22/04 and Executive 27/04 (Executive Meeting Room)		10am – Planning Site Visit	BANK HOLIDAY

W/C: MONDAY, 13 APRIL 2020**EASTER HOLIDAYS**

Monday – 13 April	Tuesday – 14 April	Wednesday – 15 April	Thursday – 16 April	Friday – 17 April
BANK HOLIDAY	9.30am – Cabinet (Executive Meeting Room) 10am – HSCG Scrutiny Pre-Meeting (Scrutiny Room)	10am – Planning Committee (Council Chamber)		

W/C: MONDAY, 20 APRIL 2020

Monday – 20 April	Tuesday – 21 April	Wednesday – 22 April	Thursday – 23 April	Friday – 24 April
10am – Standards Committee (Council Chamber)	10am – Labour Group (Council Chamber)	10am – Council (Council Chamber)	10am – Quarterly Performance Meeting (Cttee Room 1)	9.30am – SAMT (Executive Meeting Room, NEDDC) 10am – Labour Group AGM (Council Chamber)

W/C: MONDAY, 27 APRIL 2020

Monday – 27 April	Tuesday – 28 April	Wednesday – 29 April	Thursday – 30 April	Friday – 1 May
10am – Executive (Council Chamber) 10am - CST Scrutiny Pre-Meeting (Scrutiny Room)	9:30am – Cabinet (Executive Meeting Room) 2pm – Audit Committee (Council Chamber)	10am – Growth Scrutiny Pre-Meeting (Scrutiny Room)	10am – General Licensing Sub Committee (Council Chamber) At the conclusion (and if required) Licensing and Gambling Acts Sub Committee (Council Chamber)	10am – Planning Site Visit 10am – Healthy Safe Clean and Green Scrutiny Committee (Council Chamber)

W/C: MONDAY, 4 MAY 2020

Monday – 4 May	Tuesday – 5 May	Wednesday – 6 May	Thursday – 7 May	Friday – 8 May
BANK HOLIDAY	9.30am – Cabinet (Executive Meeting Room) 2pm – Pre-Meeting for Annual Council 20/05 and Executive 26/05 (Executive Meeting Room)	10am – Planning Committee (Council Chamber)	Election	Election Results

W/C: MONDAY, 11 MAY 2020

Monday – 11 May	Tuesday – 12 May	Wednesday – 13 May	Thursday – 14 May	Friday – 15 May
10am – Customer Service and Transformation Committee (Council Chamber)	9.30am – Cabinet (Executive Meeting Room) 2pm – Strategic Alliance Joint Committee (BDC Council Chamber)	10am – Growth Scrutiny Committee (Council Chamber)	10am – UECC Pre- Meeting (Executive Meeting Room) 11am – Union / Employee Consultation Committee (Council Chamber)	9.30am – SAMT (Cttee Room 1,BDC)

W/C: MONDAY, 18 MAY 2020

Monday – 18 May	Tuesday – 19 May	Wednesday – 20 May	Thursday – 21 May	Friday – 22 May
	10am – Labour Group (Council Chamber)	10am – Annual Meeting of Council (Council Chamber) At the Conclusion of Annual Council a meeting of Council will be held.		

W/C: MONDAY, 25 MAY 2020**HALF TERM**

Monday – 25 May	Tuesday – 26 May	Wednesday – 27 May	Thursday – 28 May	Friday – 29 May
BANK HOLIDAY	10am – Executive (Council Chamber) 2pm – Audit Committee (Council Chamber)			

Bolsover District Council

Council

3rd April 2019

**PART II OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1976 WITHIN THE DISTRICT OF BOLSOVER**

Report of the Portfolio Holder for Corporate Governance

This report is public

Purpose of the Report

- To set out the required stages of the legal process to confirm the re-adoption of the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 ('the 1976 Act') for the whole of Bolsover District Council, administrative area.

1 Report Details

- 1.1 Licensing of hackney carriage and private hire vehicles, drivers and operators is governed by several pieces of legislation. All licensing of private hire, and some provisions relating to hackney carriages, derive from Part II of the Local Government (Miscellaneous Provisions) Act 1976.
- 1.2 All Councils which licence these trades were required to adopt Part II of the Act. Bolsover District Council is unable to evidence the date that the Act was formally adopted.
- 1.3 It is therefore considered that Council formally (re)adopt the Act (to the extent it is not already in force) as a high priority.
- 1.4 There is no intention to change the existing position with respect to Part II of the 1976 Act therefore all policies, practices, conditions and delegations will continue unchanged where applicable.
- 1.5 The procedure for formal adoption of the provisions is set out in full in section 45 of Part II the 1976 Act. The Act can be viewed online at <http://www.legislation.gov.uk/ukpga/1976/57> and a copy can be made available on request to the Legal Services team.
- 1.6 There are two stages: (1) there must be a resolution of the Council adopting the provisions of Part II of the 1976 Act (the "Adoption Resolution") and (2) there

must be compliance with certain matters prior to the Adoption Resolution as set out below.

1.7 Appropriate wording for the Adoption Resolution is set out in Annexe 3.

1.8 Prior to adoption the Council is required to:

- (a) Publish for two consecutive weeks, in a local newspaper circulating in our area, a notice of our intention to pass the resolution.

An appropriately worded notice is to be published in the Derbyshire Times on 11th and 18th April 2019. The proposed wording of the notice is shown in Annexe 1.

- (b) Serve a copy of the notice, not later than the date on which it is first published above, on the council of each parish or community which would be affected by the resolution.

The intention is that the notice will be served on the relevant parish and town council clerks on or before 11th April 2019. A full list of all parish and town councils within the district and who will be served is shown in Annexe 2.

2 Conclusions and Reasons for Recommendation

2.1 The Council need to ensure that we can evidence formal adoption of the Act and comply with the statutory requirements in terms of notice in the local paper and within each parish.

3 Consultation and Equality Impact

3.1 Consultation issues are outlined in the report.

4 Alternative Options and Reasons for Rejection

4.1 Not being able to evidence formal adoption of the Part II of the Local Government (Miscellaneous Provisions) Act 1976 but the Council at risk of challenge and is not an option.

5 Implications

5.1 Finance and Risk Implications

5.1.1 The cost implication relating to the publication of statutory notices can be met from the existing licensing budget.

5.2 Legal Implications including Data Protection

5.2.1 Having a formal resolution to adopt the Act, and evidence of the notice and consultation with Parishes in the district is essential to ensure that we have complied with the requirements for Adoption of the Act and to enable enforcement action.

5.3 Human Resources Implications

5.3.1 None.

6 Recommendations

6.1 That Council approves the intention to pass a resolution to adopt, to the extent they are not already in force, the provisions of Part II of the 1976 Act in relation to the whole district as set out in Annexe 3.

6.2 That the Council publish notice of its intention to adopt the Act in accordance with the legal requirements.

6.3 That copies of the notices be served on all parish councils within the District in accordance with the Act.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC:</i> Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <i>NEDDC:</i> Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title
1.	Proposed wording of the notice to be published in Derbyshire Times.
2.	A full list of all parish and town councils within the district and who will be served
3.	Appropriate wording for the Adoption Resolution is set out in Annexe 3.
Background Papers (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)	
None	
Report Author	Contact Number
Victoria Dawson, Solicitor (Contentious Team Manager)	Ext 2231

Appendix 1

Wording of statutory notice to be published on 11 April and 18 April 2019 in the Derbyshire Times newspaper as well as served on parish and town councils (as listed in Annexe 2):

BOLSOVER DISTRICT COUNCIL

Part II Local Government (Miscellaneous Provisions) Act 1976

NOTICE IS HEREBY GIVEN in accordance with section 45(3) of the Local Government (Miscellaneous Provisions) Act 1976 ('the 1976 Act'), that it is the intention of Bolsover District Council ('the Council'), to pass a resolution at a meeting of Council on 22nd May 2019 that the provisions of Part II of the 1976 Act (other than section 45) shall be adopted and shall apply within the District of Bolsover District Council, with effect from 23rd June 2019

Sarah Sternberg
Head of Corporate Governance and Monitoring Officer

Appendix 2

List of parish and town councils served the statutory notice detailed in Appendix 1 on before 11th April 2019

- Ault Hucknall
- Barlborough
- Blackwell
- Clowne
- Elmton with Creswell
- Glapwell
- Hodthorpe and Belp
- Langwith
- Old Bolsover (town)
- Pinxton
- Pleasley
- Scarcliffe
- Shirebrook (town)
- South Normanton
- Tibshelf
- Whitwell

Appendix 3

ADOPTION RESOLUTION

RESOLVED:

(1) To the extent that they are not already in force the provisions of Part II of Local Government (Miscellaneous Provisions) Act 1976 1976 Act, (other than section 45), are to apply to the whole area of the Council on and after the appointed day;

(2) The appointed day for the purposes of this resolution shall be 23rd June 2019 (being not before the expiration of the period of one month beginning with the day on which this resolution is passed).

(3) All powers, duties and provisions in the Council's Constitution relating to Part II of the Local Government (Miscellaneous Provisions) Act 1976 and all existing policies, practices and conditions relating thereto shall continue to apply on and after the appointed day.

Bolsover District Council

Council

3rd April 2019

Joint Employment Committee and Joint Appeals Committee

Report of the Joint Head of Corporate Governance and Monitoring Officer

This report is public

Purpose of the Report

- To set out proposals for revised arrangements for the Joint Employment Committee (JEC) and the Joint Appeals Committee (JAC) in relation to members of the Strategic Alliance Management Team (SAMT).
- To set out the views of Standards Committee and UECC on the proposals.

1 Report Details

- 1.1 The attached Council report (Appendix 1) was considered by Standards Committee on the 11th March. The Standards Committee recommended that its comments on the report be referred to the Union Employee Consultation Committee in order that these could be considered prior to the report being referred to Council at the meeting scheduled for 3rd April 2019. The UECC considered the report on the 25th March 2019.
- 1.2 As set out in the attached report the two Councils' Constitutions contain different terms of reference for the JEC and therefore the purpose and role of the Joint Committee is not clear and not consistent. Therefore revised arrangements are required. The attached report proposes that a Joint Employment and Appeals Committee be established. It also sets out the mechanism for making appointments to the roles with the Strategic Alliance Management team and the process for dealing with appeals on issues relating to capability, performance, sickness absence and conduct, in line with the established arrangements for all other Bolsover staff who have a right of appeal to the Employee Appeals Committee in such cases. The attached report sets out the need to have revised arrangements in place in order to have a clear and consistent approach and procedure across both Councils for members of the Strategic Alliance Management team which reflects ACAS guidance and the relevant statutory regulations

- 1.3 At Standards Committee on the 11th March, Members considered the procedure proposed in Appendix 1. The Committee recommended putting in place these arrangements pending the planned formal Constitutional review. Consequently the Standards Committee made a recommendation to that effect to ensure a fair and workable arrangement was in put place. The Standards Committee will then reconsider the arrangements at the start of the new corporate year as part of the planned formal Constitution review in 2019/20.
- 1.4 UECC considered the proposals on the 25th March. Their draft resolution is:-

RESOLVED that

1. the views expressed at the meeting on the proposals put forward be incorporated into the recommendations made to Council for consideration of this matter on the 3rd April 2019;
2. recommendations made in the original report to Council on 6th March be made to Council on 3rd April 2019; and
3. it be noted that the arrangements agreed would be reviewed and comments incorporated as part of the Review of the Constitution 19/20 by Standards Committee.

The Committee was supportive of the temporary arrangements and the intended review and as can be seen agreed that the matter should be put to Council on 3rd April for approval of the temporary arrangements. The Committee's view is that there will be issues to consider as part of the review but that they can raise these at the time of the review.

- 1.5 As set out in the attached report the proposal includes an increase in the Joint Employment and Appeals Committee membership from each Council to 4 Members. This is to assist with the formation of the necessary Sub-Committees and making sure the number of Members from each Council is the same. The extra Member proposed is a Cabinet Member. This also adds more Executive Members to the appointments process for roles with the Strategic Alliance Management Team.
- 1.6 Given the revised arrangements need to be in place for both Councils, North East Derbyshire District Council approved the revised arrangements at their meeting on 4th March. This means that should this Council want to consider further alternative arrangements to these proposals, more time would be needed in order for the two Councils to agree and adopt a process.
- 1.7 As a reminder to Members, this report has no effect on appeals. These will still be heard before Members for all employees.

2 Conclusions and Reasons for Recommendation

- 2.1 The process for dealing with disciplinary/capability hearings for Joint Heads of Service and above relies on the consistency of the terms of reference of the JEC across the two Councils. Currently they are not the same and so it is not possible to keep existing arrangements.

- 2.2 Therefore there is a need for the arrangement to be revised and agreed across the Strategic Alliance so that there is in place a fair and workable process.
- 2.3 As set out in the this report the Standards Committee has already placed this issue at the top of its work plan as part of the planned Constitution review for the forthcoming corporate year which will enable further consideration of the matter.

3 Consultation and Equality Impact

- 3.1 Discussion has taken place with the relevant Union representatives as part of ongoing dialogue. Consideration by the UECC has also taken place enabling formal engagement and consultation on the proposals in order that UECC's comments are reported to Council. These comments are reported above.
- 3.2 There are no direct equality issues arising from the report. However failure to have consistency and a fair process in the two Councils needs to be addressed.

4 Alternative Options and Reasons for Rejection

- 4.1 To do nothing is not an option as that leaves the Strategic Alliance without joint arrangements for dealing with disciplinary/capability hearings for Joint Heads of Service level and above.
- 4.2 This process will be reviewed as part of the Standards Committee's planned annual review of the Constitution which will be undertaken in the new municipal year.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 There are no direct financial implications.
- 5.1.2 Risks relate to not having a suitable, satisfactory and consistent arrangement in place that is agreed across both Councils.

5.2 Legal Implications including Data Protection

- 5.2.1 As set out directly in the report and the risk section.
- 5.2.2 The Regulations to be complied with in respect of this subject are the Local Authorities (Standing Orders)(England) Regulations 2001, SI 3384.

5.3 Human Resources Implications

- 5.3.1 As set out directly in the report and the risk section.

6 Recommendations

That Council:

- 6.1 merge the Joint Employment Committee and the Joint Appeals Committee so that it becomes the Joint Employment and Appeals Committee (JEAC);
- 6.2 approve the proposed membership and Terms of Reference for the JEAC and the proposed amendment to the Scheme of Delegation to Officers as set out in Appendix 1.
(This includes approving the membership of the JEAC as 8 Members, 4 from each of the 2 Councils and appointing the additional Executive Member representative to the Committee)
- 6.3 notes that these arrangements will be reviewed as part of the 2019/20 planned annual Constitutional review by Standards Committee; and
- 6.4 give Delegated Authority to the Chief Executive as Head of Paid Service to make any minor alterations required to the process.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>Has the relevant Portfolio Holder been informed</p>	Yes
<p>District Wards Affected</p>	None directly
<p>Links to Corporate Plan priorities or Policy Framework</p>	None as this relates to staffing matters.

8 **Document Information**

Appendix No	Title	
1	Joint Employment Committee and Joint Appeals Committee report to Council on 5th March 2019.	
Background Papers (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)		
None		
Report Author		Contact Number
Sarah Sternberg		2414

Bolsover District Council

Council

6th March 2019

Joint Employment Committee and Joint Appeals Committee

Report of the Monitoring Officer

This report is public

Purpose of the Report

- To revise the process for the hearing of disciplinary and capability matters in relation to members on the Strategic Alliance Management Team (SAMT) to ensure the process is fit for purpose.

1 Report Details

- 1.1 Members of the Strategic Alliance Management Team (SAMT) are subject to a disciplinary and capability process that requires disciplinary and capability hearings to be heard by the Joint Employment Committee (JEC). The JEC's membership comprises both Council Leaders and Deputies and the Leader of the principal opposition in each Council.
- 1.2 Any appeal against a decision by the JEC would be made to the Joint Appeals Committee (JAC). The JAC's membership also comprises both Council Leaders and Deputies and the Leader of the principal opposition in each Council. An appeal cannot be heard by the same Members that heard the original disciplinary or capability case so revised arrangements are required.
- 1.3 In order to resolve the issue the following proposals are recommended.
- The JEC and the JAC become one Committee entitled the Joint Employment and Appeals Committee (JEAC). The JEAC would sit as an 8 Member Committee to deal with appointments of SAMT members. This membership proposed is as follows.

Bolsover District Council (BDC)	North East Derbyshire District Council (NEDDC)
Leader	Leader
Deputy	Deputy
Cabinet Member	Cabinet Member
Leader of principal opposition	Leader of principal opposition

- In order to address the issues set out at para 1.2, capability and disciplinary cases for Directors and Heads of Service would be heard by a more senior officer, with a right of appeal to Members. If an appeal against any decision as a result of such a hearing is made then a sub-committee of the JEAC would be arranged. This sub-committee would comprise of 4 members, being 2 members from each Council (including at least one Opposition Member) in order to provide an equal representation of Elected Members from each Council. In such cases the sub-committee could comprise of the following:

Option 1	Option 2
Leader BDC	Leader NEDDC
Deputy NEDDC	Deputy BDC
Cabinet member BDC	Cabinet member NEDDC
Leader of principal opposition NEDDC	Leader of principal opposition BDC

- The proposals as set out in the report require amendment to the terms of reference for the JEC removing reference to dealing with disciplinary and capability matters for members of SAMT other than in relation to appeals against the initial decision. An amended set of the Terms of Reference is attached at **Appendix 1**.
- Amendment to the Scheme of Delegation to officers is also proposed to enable dismissal decisions regarding members of SAMT to be made by the Chief Executive officer, or the Strategic Directors in his absence. This would amend paragraph 10.28 (ii) as follows

To determine all staffing matters including but not limited to:

- ...
- (ii) *the appointment, dismissal, suspension, or discipline of staff, save that in relation to the Chief Executive Officer, Strategic Directors and Heads of Service, this does not include the appointment and, **in the case of statutory officers**, their dismissal.*

This has the effect of removing the power to dismiss statutory officers only from the delegation, leaving all other dismissal decisions within the scope of the power.

- For dismissals arising from the decision of the senior officer there would be a right of appeal to this sub-committee of the JEAC.

1.6 The proposed changes as set out in the report outline a mechanism for ensuring Members remain independent by not being engaged in the matter prior to any appeal. This ensures a fair and transparent process with a clear and separate appeal process.

2 Conclusions and Reasons for Recommendation

2.1 The current arrangements for hearings of disciplinary and capability issues relating to SAMT Members must be changed to meet the requirements of Natural Justice by providing a fair and independent appeal mechanism.

2.2 In addition there is need for a formal procedure to be agreed.

3 Consultation and Equality Impact

3.1 The Unions will be consulted as part of the process before this matter comes to the Council.

3.2 Equality implications are dealt with within the proposed documents.

4 Alternative Options and Reasons for Rejection

4.1 The existing arrangements are unreasonable and therefore an alternative mechanism that provides an independent appeal mechanism is required.

5 Implications

5.1 Finance and Risk Implications

5.1.1 There are no Finance implications.

5.2 Legal Implications including Data Protection

5.2.1 These are dealt with in the report.

5.3 Human Resources Implications

5.3.1 There are no direct Human Resources implications.

5.3.2 Members of SAMT are already subject to the JNC Conditions of Service in their contracts of employment.

6 Recommendations that Council

That Council:

6.1 Merge the Joint Employment Committee and the Joint Appeals Committee so that it becomes the Joint Employment and Appeals Committee (JEAC);

6.2 Approve the proposed membership and Terms of Reference for the JEAC appended to this report and the proposed amendment to the Scheme of Delegation to Officers;

6.3 Refer the Terms of Reference and the amendment to the Scheme of Delegation to the Standards Committee to note and for inclusion in the Constitution;

6.4 Approve the membership of the Committee as 8 members, 4 from each of the two Councils;

6.5 Appoints the additional Cabinet member representative to Committee; and

- 6.7 Give delegated authority to the Chief Executive and Head of Paid Service to make any minor alterations required to the process.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>Has the relevant Portfolio Holder been informed</p>	Yes
<p>District Wards Affected</p>	All indirectly
<p>Links to Corporate Plan priorities or Policy Framework</p>	All indirectly

8 Document Information

Appendix No	Title
Appendix 1	Proposed Terms of Reference for the Joint Employment and Appeals Committee (JEAC)
<p>Background Papers (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)</p>	
None	
Report Author	Contact Number
Sarah Sternberg Joint Head of Corporate Governance and Monitoring Officer.	01246 242414

JOINT MEMBER PANELS FOR STAFFING MATTERS

(1) Joint Employment and Appeals Committee (JEAC)

There will be a Joint Employment and Appeals Committee (JEAC) of four Councillors from North East Derbyshire District Council and four Councillors from Bolsover District Council.

One named substitute is made for each appointed Member of the Committee who can be called upon to replace an existing Member for the duration of an employment procedure in its entirety. At its conclusion, appointment reverts to the Member originally appointed.

The membership from Bolsover District Council shall include the Leader of the Council and Deputy Leader, a Cabinet Member and the Leader of the Largest Minority Group. The Members shall be appointed at the Annual Meeting. The rules of proportionality shall apply to this Committee.

The Joint Employment and Appeals Committee will meet as a Committee in relation to all appointments of the Strategic Alliance Management Team which includes the Statutory Officers and other Chief Officers/Deputy Chief Officers (employed by the Council under Joint Negotiating Committee (JNC) terms and conditions).

The Joint Employment and Appeals Committee will meet as a Sub Committee of 4 comprised as one of the options below when dealing with a disciplinary or capability issue:

Option 1	Option 2
Leader BDC	Leader NEDDC
Deputy NEDDC	Deputy BDC
Cabinet member BDC	Cabinet member NEDDC
Leader of principal opposition NEDDC	Leader of principal opposition BDC

The Joint Employment and Appeals Committee will have the following roles and functions:-

- (a) To interview candidates for posts within the Strategic Alliance Management Team
- (b) To appoint candidates to posts within the Strategic Alliance Management Team, with the exception of the Head of Paid Service, Chief Finance Officer and Monitoring Officer
- (c) To recommend to the Councils' the appointment of the Head of Paid Service, Chief Finance Officer and Monitoring Officer
- (d) To deal with the final stages of the grievance and harassment procedures for all Statutory Officers and other Chief Officers/Deputy Chief Officers

- (e) To deal with appeals from the Chief Executive Officer and Chief Officers/Deputy Chief Officers including Statutory Officers, against action taken against them

- (f) In respect of the dismissal of any of the Statutory Officers, namely the Head of Paid Service, the Monitoring Officer and the Section 151 Officer, the Joint Employment and Appeals Committee shall make a recommendation to the Councils which will be supported via a report from two of the Councils' Standards Committee Independent Persons