

COUNCIL

Minutes of a meeting of the Council of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday, 11 September 2019 at 10:00 hours.

PRESENT:-

Members:-

Councillor Tom Munro in the Chair

Councillors Rita Turner (Vice-Chair), Derek Adams, Allan Bailey, Rose Bowler, Jane Bryson, Anne Clarke, Nick Clarke, Jim Clifton, Tricia Clough, Pat Cooper, Mary Dooley, Steve Fritchley, Ray Heffer, Natalie Hoy, Andrew Joesbury, Chris Kane, Tom Kirkham, Duncan McGregor, Clive Moesby, Evonne Parkin, Graham Parkin, Sandra Peake, Peter Roberts, Liz Smyth, Janet Tait, Ross Walker, Deborah Watson, James Watson and Jen Wilson.

Officers:- Dan Swaine (Joint Chief Executive Officer), Karen Hanson (Joint Strategic Director - Place), Sarah Sternberg (Joint Head of Corporate Governance & Monitoring Officer) and Theresa Fletcher (Head of Finance and Resources & Section 151 Officer) and Nicola Calver (Governance Manager).

259 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dexter Bullock, Tracey Cannon, Paul Cooper, David Dixon, Maxine Dixon, David Downes and Dan Salt.

260 DECLARATIONS OF INTEREST

There were no declarations made at the meeting.

261 CHAIR'S ANNOUNCEMENTS

The Chair of the Council announced that he would be holding a 'Bolsover's Got Talent Showcase' at the Sports Directs Arena on Friday 25th October. All Members of Council were invited to purchase tickets and any appropriate contributions for raffle prizes would be welcomed.

He further advised Members that a meeting of Council as Trustees of Creswell Public Swimming Baths would be held following the meeting as well as welcoming Paul Steers from the Release Charity to talk to members on the work of the charity through the Armed Forces Covenant.

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262 MINUTES

It was noted that within the attendance record Councillor Allan Bailey was incorrectly listed as Adam Bailey, and it was agreed that this would be amended.

Moved by Councillor Derek Adams and seconded by Councillor Rita Turner
RESOLVED that subject to the amendment noted above, the minutes of the meeting of Council held on 17th July 2019 be approved as a true and correct record and signed by the Chair.

263 QUESTIONS FROM THE PUBLIC

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.

264 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.

Three questions had been submitted by Members of Council under Council Procedure Rule 9 and were considered in order of submission.

a) Question submitted by Councillor Allan Bailey to Councillor Steve Fritchley, Leader of the Council:

Is Bolsover District Council having any discussions with Derbyshire County Council or any other organisations to improve the bus connectivity between Clowne and Calow Hospital?

The Leader of the Council confirmed that there were no current discussions with Derbyshire County Council in reference to improving bus connectivity between Clowne and Calow Hospital, however, this matter could be further researched and added as an agenda item for the next Parish Council Liaison meeting, where this could be discussed along with any other issues relevant to this within the area.

b) Question submitted by Councillor James Watson to Councillor Steve Fritchley, Leader of the Council:

Since the start of this municipal year have any persons who are neither a member nor official of Bolsover District Council applied to attend functions or conferences where any attendance fees are to paid or partly paid by Bolsover District Council or expenses reimbursed by Bolsover District Council?

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The Leader of the Council confirmed that no persons who were neither a member nor official of Bolsover District Council had applied to attend functions or conferences where any attendance fees were to be paid or partly paid by the authority, nor were any expenses reimbursed.

This endorsement or authorisation would need to be given by either the Leader of the Council or Deputy Leader of the Council and it was confirmed that neither had done this. The Leader also confirmed that he had received assurance that this had not taken place prior to his election to office as Leader.

SUPPLEMENTARY QUESTION

Councillor James Watson exercised his right to ask a supplementary question of the Leader of the Council and asked for reassurance that approval wouldn't take place in these circumstances.

The Leader of the Council confirmed that this would not take place.

c) Question submitted by Councillor Ross Walker to Councillor Steve Fritchley, Leader of the Council:

Over the course of the last 4 municipal years, how many buffets and meals were provided to members and their guests each municipal year?

Councillor Steve Fritchley confirmed the following figures for expenditure on buffets and meals provided to members and their guests each municipal year.

- 2015/16 - £2,951
- 2016/17 - £1,563.58
- 2017/18 - £1,959.35
- 2018/19 - £1,628.25
- 2019/20 - £1,119 to date.

The Leader of the Council confirmed that he would provide this information in writing to Councillor Walker. It was further confirmed that these figures included expenditure for the annual Civic Service which he anticipated was 50% of the total cost.

265 MOTIONS

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

a) The following motion was submitted for consideration by Councillor James Watson

That Bolsover District Council is concerned about poor air quality and its detrimental effect on the wellbeing of its young residents and their life opportunities.

Bolsover District Council resolves:

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- (i) *To help mitigate the risks of pollutants affecting young people's future well-being, for all schools within Bolsover District to be encouraged to monitor air quality by Bolsover District Council offering a quarterly service to monitor Nitrogen Dioxide and Particulate Matter (PM) 2.5 levels in each classroom, free of charge.*
- (ii) *within the next 6 months, to notify every school in Bolsover District of this service.*
- (iii) *to report to Council on an annual basis, commencing from the date the first school takes up this service:*
 - a) *the number of schools taking up this service;*
 - b) *the number of Nitrogen Dioxide readings taken over a one hour period above 200 micro grams per cubic metre;*
 - c) *the number of PM 2.5 readings in excess of 12 micro grams per cubic metre over a 24 hour period;*
 - d) *as long as the school grants permission, the schools where readings are in excess of the Nitrogen Dioxide and PM 2.5 levels stated above.*
- (iv) *to find out the cost of supplying air purifiers to schools and report these findings to the next Council meeting.*

In presenting his motion Councillor James Watson read the motion in full to Members of the Council. In addition, he highlighted that there was an increasing number of school age children within the local area suffering with respiratory problems. He expressed his concerns about the long term damage and called on the Council to resolve action to mitigate these risks.

The motion called for air purifiers in schools and requested that costs be investigated and reported to the next meeting of Council.

Councillor Ross Walker duly seconded the motion and reserved his right to speak.

Councillor Nick Clarke proposed an amendment to the motion as follows:

That matters raised within the motion be referred to the Healthy, Safe, Clean and Green Communities Scrutiny Committee and the Carbon Reduction Working Group who will bring forward recommendations for the Executive to consider.

Councillor Ann Clarke duly seconded the motion.

The Leader of the Council supported the amendment and felt that referral to the Scrutiny Committee would allow every opportunity for a detailed debate. He further urged Members to support the amendment where details and costs could be investigated fully.

Councillor Natalie Hoy suggested that local schools be invited to be part of the group for the discussions and the consensus of the meeting was that this could be accommodated.

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In exercising his right to reply to the discussion on the motion Councillor James Watson wished to maintain the wording within his motion as put.

On being put to the vote the amendment was carried, and therefore became the substantive motion which was also carried.

Moved by Cllr Nick Clarke and seconded by Cllr Anne Clarke

RESOLVED that the matters raised in the motion put by Councillor James Watson in relation to mitigating the risks of pollutants be referred to Healthy, Safe, Clean and Green Communities Scrutiny Committee and the Carbon Reduction Working Group requesting recommendations to be brought forward to Executive.

(The Scrutiny Officer)

266 REPORTS ON URGENCY DECISIONS 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.

267 RECOMMENDED ITEMS

The Portfolio Holder for Corporate Governance brought forward a report containing revised policies for Capability, Probation, Disclosure and Barring Service, Learning and Development and Smoke Free & Vaping. It was noted that HR had been working with managers from both authorities alongside trade unions to regularly review working practices to ensure that the organisations policies were fit for purpose and continued the ethos of being a supportive employer. Members noted that the policies had been approved by the Union / Employer Consultation Committee and the Strategic Alliance Management Team.

Councillor James Watson highlighted that learning and development was a key area for the Authority and requested information on take up rates of learning and performance against targets within this area. In response to the query, the HR and OD Manager confirmed that this information was monitored on an annual basis and a range of courses were available to employees relevant to the nature of their job roles. The apprentice levy had been used to fund the learning and development of both existing and new members of staff and facts and figures as requested would be provided to Councillor James Watson.

Moved by Councillor Duncan McGregor and seconded by Councillor Christopher Kane

RESOLVED that the revisions to the following policies be accepted:

- Capability
- Probation
- Disclosure and Barring Service
- Learning and Development
- Smoke Free & Vaping

(HR and OD Manager)

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268 REGULATION OF SEX ESTABLISHMENTS

Members gave consideration to a report of the Chairman of the General Licensing Committee which set out the required stages of the legal process to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the 1982 Act') and Section 27 of the Policing and Crime Act 2009 ('the 2009 Act'), in order that the Licensing Authority be able to regulate Sex Establishments within Bolsover District. In addition, the report recommended that Council adopt Schedule 3 and in response publish statutory notices to that effect and to adopt a Sex Establishment Policy following a public consultation process.

It was confirmed that there were no known Sex Establishments currently within the District however, it was prudent to have proper steps in place to enable the Council to regulate control in the event that any applications were made in the future. It was confirmed that public consultation would take place on a proposed policy.

Moved by Councillor Ray Heffer and seconded by Councillor Andrew Joesbury
RESOLVED that

- 1) the intention to pass a resolution to adopt the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, 'Control of Sex Establishments' and section 27 of the Policing and Crime Act 2009 in relation to the whole district as set out in Appendix 1 to the report be approved;
- 2) a notice of the adoption of the 1982 and 2009 Act be published in accordance with the legal requirements;
- 3) the General Licensing Sub Committee be given responsibility to determine applications for Sex Establishments including sexual entertainment venues, sex shops and sex cinemas under the Local Government (Miscellaneous Provisions) Act 1982 (as amended);
- 4) a draft policy on sex establishments be prepared for consultation within the district to clarify the Council's policy on:
 - i. "relevant locality" and "appropriate number";
 - ii. conditions under which sex establishments must operate; and
 - iii. an appropriate fee for applications; and
- 5) the draft Sex Establishment Policy be submitted to a future Licensing Committee for Members' approval for a full 6 week consultation period.

(Deputy Monitoring Officer)

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269 MEMBER DEVELOPMENT ANNUAL REPORT 2018/19

Members gave consideration to a report of the Chair of the Member Development Working Group setting out the Member Development Annual Report which detailed work undertaken during the 2018/19 municipal year. Further, it detailed opportunities that were made available to Members and information on the evaluation of Member Development Sessions that had taken place.

Moved by Councillor Sandra Peake and seconded by Councillor Rose Bowler

RESOLVED that the Member Development Annual Report for 2018/19 and the Member Development Programme for 2019/20 be noted.

(Governance Manager)

270 REVIEW OF THE MEMBER DEVELOPMENT STRATEGY

Members gave consideration to a report of the Chair of the Member Development Working Group recommending adoption of a revised Member Development Strategy for 2019-2023.

The Strategy was last reviewed in 2014 and the revised version presented incorporated the previously separated evaluation strategy to incorporate both in one document. In carrying out the review, the Governance Team looked at bringing the previous version up to date, comparing the delivery and support of Member Development across other Local Authorities, and also carried out self-assessment against the LGA Member Charter criteria.

Moved by Councillor Sandra Peake and seconded by Councillor Rose Bowler

RESOLVED that the Member Development Strategy Review 2019-2023 be approved.

(Governance Manager)

The meeting concluded at 10:48 hours.