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To: Chair & Members of the Council

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Tuesday, 7 January 2020

Dear Councillor

**COUNCIL**

You are hereby summoned to attend a meeting of the Council of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Wednesday, 15th January, 2020 at 10:00 hours.

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

You will find the contents of the agenda itemised from page 2 onwards.

Yours faithfully



Joint Head of Corporate Governance & Monitoring Officer



**We speak your language**  
Polish **Mówimy Twoim językiem**  
Slovak **Rozprávame Vaším jazykom**  
Chinese **我们会说你的语言**

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# COUNCIL AGENDA

*Wednesday, 15th January, 2020 at 10:00 hours in the Council Chamber, The Arc, Clowne*

| Item No. | <b><u>PART 1 – OPEN ITEMS</u></b>   | Page No.(s) |
|----------|---|-------------|
| 1.       | <b>Declarations of Interest</b><br><br>Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:<br><br>a) any business on the agenda<br>b) any urgent additional items to be considered<br>c) any matters arising out of those items<br>and if appropriate, withdraw from the meeting at the relevant time. |             |
| 2.       | <b>Apologies For Absence</b>  |             |
| 3.       | <b>Chair's Announcements</b><br><br>To receive any announcements that the Chair of the Council may desire to lay before the meeting.<br><br>The Chair will announce that a report on a process for Honorary Alderman will be submitted to the following meeting of Council.   |             |
| 4.       | <b>Minutes</b><br><br>To approve the Minutes of the Council meeting held on 13 <sup>th</sup> November 2019.   | 5 - 18      |
| 5.       | <b>Questions from the Public</b><br><br>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.   | None        |
| 6.       | <b>Questions from Members</b><br><br>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.  |             |

a) Question submitted by Councillor Peter Roberts to Councillor Steve Fritchley, Leader of the Council:

*Point 1*

*We are proposing to use environmental budget money to provide parking spaces for a housing project when we could simply add it to the cost of the project and get it back through the rent.*

*It is a subsidy to the builder when the money should be for the wider community*

*Point 2*

*We are proposing to charge £1637 each to resurface a road for 8 private tenants other residents are council tenants so no additional charge to them They do not know the terms of payment, They have not be informed about the specification of work to be done and whether it is good value They are having to paying when they already pay council tax and it's BDC land*

*Is it right to not charge new tenants point 1 while at the same time charging existing ones point 2 and are we happy as a council conduct ourselves as indicated above.*

**7. Motions**

In accordance with Council Procedure Rule 10, to consider motions on notice from Members.

a) Motion submitted by Councillor Peter Roberts

*At the conception of a building or infrastructure project to be carried out by BDC, could the ward councillors who know their residents and ward best, be informed first.*

*This would enable us to guide the planning process by asking who, what, why and when, so as to avoid some of the difficulties as experienced in Whitwell.*

- |           |  |         |
|-----------|--|---------|
| <b>8.</b> | <b>Reports on urgency decisions taken by the Executive</b>   | None    |
|           | 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. |         |
| <b>9.</b> | <b>Review of Polling Districts, Polling Places and Polling Stations 2019.</b>  | 19 - 28 |
|           | Report of the Chief Executive Officer  |         |

**10. Annual Audit Letter**

29 - 45

Report of Councillor Clive Moesby, Portfolio Holder for Finance + Resources

**11. Chairman's Closing Remarks**

## COUNCIL

Minutes of a meeting of Council held in the Council Chamber, The Arc, Clowne on Wednesday 13<sup>th</sup> November 2019 at 10.00 hours.

### **PRESENT:-**

Members:-

Councillor Tom Munro in the Chair

Councillors Derek Adams, Adam Bailey, Rose Bowler, Jane Bryson, Tracey Cannon, Anne Clarke, Nick Clarke, Jim Clifton, Patricia Clough, Pat Cooper, Paul Cooper, Maxine Dixon, David Dixon, Mary Dooley, David Downes, Steve Fritchley, Ray Heffer, Andrew Joesbury, Tom Kirkham, Duncan McGregor, Clive Moesby, Tom Munro, Evonne Parkin, Graham Parkin, Sandra Peake, Peter Roberts, Dan Salt, Liz Smyth, Janet Tait, Rita Turner, Ross Walker, Deborah Watson, James Watson and Jen Wilson.

Officers:-

Dan Swaine (Joint Chief Executive Officer), Lee Hickin (Joint Strategic Director - People), Karen Hanson (Joint Strategic Director - Place), Sarah Sternberg (Joint Head of Corporate Governance & Monitoring Officer), Theresa Fletcher (Chief Accountant & Section 151 Officer), Nicola Calver (Joint Governance Manager) and Tom Scott (Temporary Governance Officer).

### **0405. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Dexter Bullock, Natalie Hoy and Chris Kane.

### **0406. DECLARATIONS OF INTEREST**

Councillor James Watson declared a non-significant other interest in agenda item 11 (LGPS Pensions Discretions 2019) and agenda item 12 (Reduction in Debt Charges through the use of reserves). Councillor Watson also indicated non-participation in these decisions.

Councillor Clive Moesby declared a non-significant other interest in agenda item 11 (LGPS Pensions Discretions 2019). Councillor Moesby also indicated non-participation in this decision.

### **0407. CHAIR'S ANNOUNCEMENTS**

The Chair began his announcements with a mention of the recent passing of Annie Hall, the Former High Sherriff of Derbyshire. He stated that he worked with Annie on a number of occasions, and paid tribute to how kind she was.

The Chair requested that Members complete the Training Needs Survey e-mailed to them by the Governance team.

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He announced that he had recently attended three events to represent the Council: a Remembrance service in Whitwell, the Remembrance Parade in Chesterfield and the Bolsover District Talent Showcase in Shirebrook. He stated that it was an honour to attend the Remembrance events, and the Talent Showcase raised £560 for charity.

The Chair passed over to Councillor Mary Dooley, who wished to mention that a blue plaque was recently unveiled in Pinxton for John King, the inventor of the mine cage safety detaching hook. She thanked Councillors Steve Fritchley and Ray Heffer on behalf of Pinxton Parish Council for attending the unveiling.

The Leader of the Council, was invited to speak and he moved to alter the order of business to defer agenda item 16 (Development Proposal – Whitwell Cluster – B@Home Framework) to a future Council meeting, because he felt Members needed more time to consider the report.

Proposed by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor.

**RESOLVED** that the order of business be amended to defer agenda item 16, 'Development Proposal – Whitwell Cluster – B@Home Framework' to a future meeting of Council.

### 0408. MINUTES – 11<sup>th</sup> SEPTEMBER 2019

Moved by Councillor Duncan McGregor and seconded by Councillor Derek Adams.

**RESOLVED** that the minutes of the meeting held on 11<sup>th</sup> September 2019 be approved as a true and correct record and be duly signed by the Chair.

### 0409. 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.

i) Question submitted to Portfolio Holder for Environmental Impact Councillor Nick Clarke by Mr. Atkin:

*In view of the mounting international controversy over the safety of 5G communications, does BDC have a policy on the subject?*

Mr. Atkin gave some context in support of his question. He told Members how 5G technology was being rolled out in places all over the world, but a number of people had raised serious health concerns about using it. He added that if Bolsover District decides to introduce it, Members should research it before making a decision. Mr Atkins felt it was weapons-grade technology and the impact on humans and nature could be disastrous.

Mr. Atkin referred to instances all over the world of people reacting to the potential risks of 5G: a Senator in the United States of America admitted how the dangers of 5G had not been researched properly, and Japan had banned it outright. He

## COUNCIL

concluded by stating that his question about Bolsover District Council having a policy on rolling out 5G was in view of all of these concerns.

Councillor Nick Clarke thanked Mr. Atkin for his question, and stated how he did not believe there was any formal Bolsover District Council policy relating to 5G technology.

Councillor Nick Clarke agreed with the concerns expressed by Mr. Atkin, and added that the need for more worldwide research into 5G technology was clear, particularly in light of WHO (World Health Organisation) conveying their concerns about 5G on a number of occasions. In concluding his response, Councillor Nick Clarke stated that he felt there should be a moratorium on any decisions or motions the Council might take on 5G technology in the future, until better research on the risks had been carried out.

### SUPPLEMENTARY QUESTION:

No supplementary question was submitted.

ii) Question submitted to Portfolio Holder for Environmental Impact Councillor Nick Clarke by Ms. Gilbert:

*Has BDC received any planning applications from any communications company for the erection of any 5G masts or antennae?*

Councillor Nick Clarke thanked Ms. Gilbert for her question, and explained how the planning applications for the masts themselves were part of an infrastructure commission that Bolsover District Council was not a part of. However, he added that Bolsover District Council would voice its concerns about 5G risks to the commission, and the public would be made fully aware of any future decisions the Council might take relating to 5G technology.

### SUPPLEMENTARY QUESTION:

No supplementary question was submitted.

(Chief Executive Officer)

## 0410. 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 by Members under Procedure Rule 9.

## 0411. MOTIONS

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

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a) The following motion was submitted for consideration by Councillor Clive Moesby:

*The Council are in receipt of a letter calling for a recognition of residents' concerns in relation to international developments in relation to nuclear weapons.*

*Below is the letter for reference:*

*We write as citizens, concerned at international developments which have no national or local barriers: which impinge on, and threaten, us all.*

*We note:*

- The withdrawal of the USA from the International Treaty on Non-Proliferation of Nuclear Weapons of 1970*
- The withdrawal of the USA from The Paris Climate Agreement of 2015*

*Each of these agreements had been achieved only after extensive and prolonged discussions, at International, Bi-lateral and local level. Each of these agreements resulted from world-wide pressure from peoples everywhere.*

*We believe that the time has come when the peoples most concerned by the consequences of these decisions must okay their part in reversing these developments.*

*We further note:*

*We are not alone. Major powers, including Germany, China and Russia have declared their intention to implement their part in those agreements, - though as a result of President Trump's announcement, Russia too is withdrawing from the Non-proliferation Agreement.*

*Major Cities and States in the USA, including California and New York, have developed their own climate policies to meet those which President Trump has rejected.*

*Here in the UK, we have a history of local desire to play a part in these issues – expressed by the Derbyshire County Council's 'Nuclear-Free Zone' initiative at the time of the Cruise Missile crisis.*

*These examples show that we cannot leave our futures in the hands of the leaders who may be unworthy of such confidences. They show that popular pressure is needed to alert our populace of the dangers, and to get that awareness reflected in government decision making.*

*We are in a dangerous place, where the electorate and the peoples of the whole world are disfranchised from decisions which govern the quality or even the possibility of life on earth. We can work to lessen these dangers.*

*We appeal to Chesterfield Borough Council, North-East Derbyshire District Council, Bolsover District Council, and the Derbyshire County Council, to use their powers to act on these issues.*



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*If you will join us, we may be able to make the world a less dangerous place.  
For further information, please contact us.*

*Yours faithfully*

*Lyn Pardo (Secretary) [lynpardo@phonecoop.coop](mailto:lynpardo@phonecoop.coop)*

*Joe Clark (Chair Person) [clamak@tiscali.co.uk](mailto:clamak@tiscali.co.uk)*

*In response I move that the Council note its previous representations to HM Government requesting Bolsover to be declared a nuclear free zone in 1982 and reaffirms its position on this matter.*

Councillor Steve Fritchley duly seconded the motion and reserved his right to speak.

On being put to the vote, the motion was carried.

Moved by Councillor Clive Moesby and seconded by Councillor Steve Fritchley  
**RESOLVED** that previous Council representations to HM Government be noted and that position is reaffirmed.

(Chief Executive Officer)

b) The following motion was submitted for consideration by Councillor Tricia Clough:

*This Council demonstrates support for all women born in the 1950s who have unfairly borne the burden of increases to the State Pension Age (SPA) by the Pensions Act of 1995 and 2011 by:-*

*i) Calling upon the Government to make fair traditional State Pensions arrangements for all women born in the 1950s, who have unfairly borne the burden if the increase to the State Pension Age (SPA) with lack of appropriate notification.*

*ii) Identifying a named person as a champion for those women affected by state pension changes*

*iii) Notifying any interested parties as to council events where they may participate in educating and advising women about state pension changes.”*

*3.8 million Women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little or no personal notification of the changes. 6,100 of these women affected live in the Bolsover District. Some women received as little as two years' notice of the increases to their state pension age. Many had no notification at all.*

*Within the Bolsover District there are many women living in hardship purely because of the decade they were born in and the fact that successive governments gave inadequate notice of changes to their state pension age, not once but twice. Some women had already left the Labour Market, caring for elderly relatives or grandchildren – the sandwich generation. Others had been made redundant. Almost all were expecting their pension at 60. Instead they have had up to six years extra added which in real monetary terms means a loss of £48,000.*

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*Of those who continue to work, many struggle mentally and physically. Some suffer discrimination in the workplace and feel guilty that the younger generation would be better equipped to carry out their roles. Others struggle to find employment and the proposition that there would be apprenticeships for women of this generation has proved nonsensical. Many women were ineligible for Job Seekers' allowance so had to watch their hard-earned savings dwindle away. At least one woman in this district left work to care for her terminally-ill husband. After his death she attempted a Job Seekers' scheme. It was physically too demanding so she had to sell the family home quickly in order to survive.*

*We know that very little information was available for 1950's women when the 1995 Act was passed. A few small articles in financial papers and the occasional news item. As a full time worker with a husband, teenage daughter, four foster children, numerous pigs, piglets, chickens and pets, my reading matter was 'Bob the Builder' and I was tucked up in bed well before the '9 O' Clock News'. Letters did not go out until 2010 and then only for a small cohort. Following the 2011 Act more letters were sent but not to all affected. Women MPs from both sides of the house have stated they received no letter. Judges and lawyers were unaware as divorce settlements were agreed on the pension age being 60. Even the DWP's own website proclaimed the same until 1950s women pointed out the error.*

*These women have worked hard and contributed positively to society. They paid their taxes and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute – it is widely accepted that women and men should retire at the same time (although one could argue that this generation who sought equality rarely received it in monetary terms). The issue here is that the rise in the women's state pension age has been too rapid. It has happened without sufficient notice being given to the women affected, leaving them with no time to make alternative arrangements.*

*We are now in a situation where one woman, through no fault of her own is having to walk five miles each way to access a computer to complete job applications. No bus pass until you reach State Pension age now. Another walks a similar distance on a Saturday to purchase the 10p reduced loaves to keep her going. Across the country there are women living in vans being unable to pay rent. And, of course, there are those who never received a penny of their pension. My friend Sue, a nurse for forty years contracted motor neurone disease. She campaigned for her pension tapping on her keyboard right until her final days.*

*But it is not only the women that are affected. It goes across the generations. Listen to these words from Heather: - "My mum was a WASPI woman. She died in January at the age of 62.*

*In the years before she died she had to fight for ESA and PIP as though she was a scrounger and didn't deserve the air she breathed. It took a huge toll on her mental health. She lived in real poverty and when she was dying in a hospice bed the main thing she was worried about was who was going to pay for it (thanks St Cuthbert's Hospice and out NHS).*

*I'll never forget the battles she had to fight." On 3rd October 2019, one group of 1950s women were unsuccessful in their High Court Judicial Review. (Case no: CO/3174/2018) In their conclusion, the judges wrote 'We are saddened by the stories*

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*we read in the evidence lodged by the Claimants. But our role as judges in this case is limited. There is no basis for concluding that the policy choices reflected in this legislation were not pen to Government. We are satisfied that they were. In any event they were approved by Parliament. The wider issues raised by the Claimants, about whether these choices were right or wrong or good or bad, are not for us; they are for the members of the public and their elected representatives'*

*So in summary, I ask Council, as elected representatives, to support the Motion for all 1950s women grotesquely disadvantaged by the 1995 and 2011 Pension Acts.*

Councillor Anne Clarke duly seconded the motion, and conveyed her belief that Iain Duncan Smith (when he was Secretary of State for Work and Pensions) and others in Central Government had refused to engage with women about their state pension ages. She added that because many women in the UK born in the 1950s were sometimes having to fund their own children and parents at the same time, the pension changes were an unfair burden on them. She reported that many women in the UK born in the 1950s had died waiting for their state pension because of the changes, and homelessness amongst the over 60s had increased in that time by 39%.

Councillor Anne Clarke felt that the submitted motion was a great opportunity for the Council to follow the examples of Unison and CEDAW (Convention on the Elimination of all Forms of Discrimination Against Women) by supporting all of the women affected by the state pension changes.

Councillor Peter Roberts reported that Central Government's estimated figure to completely reverse the state pension age changes made in 1995 and 2011 was £215 billion, which he felt would be a significant amount for them to spend. He expressed his belief that the motion should include more mention of men's state pension changes, because its focus on women could amount to inequality.

Councillor Janet Tait made reference to the campaign against the changes by WASPI (Women Against State Pension Inequality), and added that women born in the 1950s were at a significant disadvantage because they were not given any notice of the changes by Central Government.

Councillor Tricia Clough expressed her belief that women's state pensions were well below men's state pensions, and the actions of Central Government in recent years to change pension ages had added six additional years to the age that some women could claim, whilst men of the same age only had one additional year. She explained that this was why the motion was aimed at women in particular.

Moved by Councillor Tricia Clough and seconded by Councillor Anne Clarke

### **RESOLVED**

- i) To call upon the Government to make fair traditional State Pensions arrangements for all women born in the 1950s, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.
- ii) To identify a named person as a champion for those women affected by state pension changes

## COUNCIL

- iii) To notify any interested parties as to council events where they may participate in educating and advising women about state pension changes.  
(Chief Executive Officer)

c) The following motion was submitted for consideration by Councillor Steve Fritchley:

*That the Council adopt the International Holocaust Remembrance Alliance (IHRA) working definition of anti-Semitism which is as follows:-*

*“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”*

The Leader spoke on his motion further, believing that adopting this definition of antisemitism would be a fitting tribute to every person who lost their lives as part of World War II, and all other wars as well.

Councillor Duncan McGregor duly seconded the motion and reserved his right to speak.

On being put to the vote, the motion was carried.

Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor  
**RESOLVED** the working definition of Anti-Semitism be adopted.

(Monitoring Officer)

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

*I move that from 1 December 2019 onwards, it is resolved that for any day where any member development and/or mandatory Councillor training sessions has scheduled to commence no earlier than 6:30pm on that day.*

Councillor Allan Bailey duly seconded the motion and reserved his right to speak.

Councillor James Watson spoke on his motion further, explaining its relationship to another motion he submitted to Council on 17th July 2019, which proposed that from the municipal year 2020/21 onwards, some Council and Standing Committee meetings be scheduled to begin from 6.30 p.m. That motion was amended and carried to instead read “that Council consider [meetings after 6.30 p.m.] in advance of the next electoral cycle commencing in 2023.”

Councillor James Watson explained that his motion on 17th July 2019 was submitted with the purpose of recognising Members who were in full-time or part-time employment beyond their Council work. He added that in his opinion, the reason the Members of the Labour Group did not vote for that motion at the 17th July 2019 Council meeting was because they had independent incomes and property portfolios, so were not concerned about honouring work commitments.

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The Chair informed Councillor James Watson that it was inappropriate to refer to the personal business of individual Members. Councillor James Watson acknowledged the Chair's advice, but wished it to be recorded in the minutes that he had made reference to a Group rather than an individual.

Councillor James Watson explained his reasons for submitting the current motion. He believed that Member development sessions and Member training events should be scheduled later to allow as many Members to attend them as possible, and not giving them the opportunity would mean some Members weren't given vital guidance and advice relating to the Code of Conduct.

On being put to the vote, the motion was not carried.

e) The following motion was submitted for consideration by Councillor Nick Clarke:

*I move that Bolsover District Council resolves:*

*To require all public firework displays within the District boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people.*

*To write to the Government urging them to legislate that the law be changed to only allow the sale of fireworks to operators of licensed displays.*

*To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people - including the precautions that can be taken to mitigate risks.*

*To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90db for those sold to the public for private displays.*

*To encourage local suppliers of fireworks to stock 'quieter' fireworks for public display.*

*To tighten up the restriction of sales of fireworks in the run up to Bonfire Night to under 18 year olds and to discourage proxy sales of fireworks for those under the age of 18.*

Councillor Tom Kirkham duly seconded the motion and reserved his right to speak.

### AMENDMENT

Councillor Andrew Joesbury proposed an amendment to the motion to add a new paragraph to the end, reading: "To write to the Government for a blanket ban on all firework sales to private individuals."

Councillor Andrew Joesbury spoke on his amendment, believing that there were multiple fire incidents all over the country on every Bonfire Night, and he felt the Government had done little to address it.

Councillor Dan Salt duly seconded the amendment.

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Councillor Anne Clarke believed it was important to consider the effect fireworks could have on veterans who might have Post Traumatic Stress Disorder. She added that fireworks can also have a significant impact on pets.

Councillor Duncan McGregor advised that the second resolution within the original motion (“To write to the Government urging them to legislate that the law be changed to only allow the sale of fireworks to operators of licensed displays”) already covered Councillor Andrew Joesbury’s amendment. Councillor Andrew Joesbury, with the agreement of the seconder Councillor Dan Salt agreed to withdraw the amendment.

### ORIGINAL MOTION

On being put to the vote, the original motion was carried.

### RESOLVED that

- i) all public firework displays within the District boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people.
- ii) the Chief Executive Officer be requested to write to the Government urging them to legislate that the law be changed to only allow the sale of fireworks to operators of licensed displays.
- iii) a public awareness campaign be actively promoted about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks.
- iv) the Chief Executive be requested to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90db for those sold to the public for private displays.
- v) local suppliers of fireworks be encouraged to stock ‘quieter’ fireworks for public display.
- vi) the Authority tighten up the restriction of sales of fireworks in the run up to Bonfire Night to under 18 year olds and to discourage proxy sales of fireworks for those under the age of 18.

(Chief Executive Officer)

### 0412. REPORTS ON URGENCY ITEMS TAKEN BY THE EXECUTIVE

When appropriate, meetings of Council can 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.

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### 0413. RECOMMENDED ITEMS

#### Change to the Constitution – Joint Employment and Appeals Committee – Bolsover only appointments

The Council gave consideration to a mid-year change to the Constitution in relation to Member panels for interviewing and appointing Bolsover only members of SAMT.

A report had been submitted to the Standards Committee on the 23<sup>rd</sup> September 2019 in relation to the options for the interview panel and the recommendations were set out in Appendix 1 to the report. It was suggested by Standards Committee that the following wording be added to the JEAC Terms of Reference for Bolsover only posts.

*“Where the Authority determines to recruit to a Head of Service or Director post outside the Strategic Alliance or determines to take any disciplinary action in relation to such a post the Member panel will be called the Employment and Appeals Committee and will comprise the four Members of the JEAC, and, where there are two Leaders of the Opposition of groups of equal size, both Leaders of the Opposition will be Members of the Employment and Appeals Committee – increasing the size of the Committee to 5.*

Moved by Councillor Clive Moesby and seconded by Councillor Andrew Joesbury  
**RESOLVED** that the recommendations from the Standards Committee to amend the Terms of Reference for the Joint Employment and Appeals Committee for Bolsover only posts be approved.

(Monitoring Officer)

### 0414. CHANGE OF COMMITTEE SEATS

The Chair explained a proposal to agree the replacement of Councillor Janet Tait by Councillor Rita Turner on the General Licensing Committee and Licensing and Gambling Acts Committees.

Moved by Councillor Sandra Peake and seconded by Councillor Mary Dooley.  
**RESOLVED** that Councillor Rita Turner be replaced by Councillor Janet Tait on the General Licensing Committee and Licensing and Gambling Acts Committees.

(Governance Manager)

### 0415. LGPS PENSIONS DISCRETIONS 2019

A series of changes had been made to the discretions available to the Local Government Pensions Scheme (LGPS), which came into effect from 1<sup>st</sup> April 2014. Under the LGPS regulations, employers were required to formulate, publish and keep under a review a policy statement in relation to the exercise of a number of discretions that were available. Members gave consideration to a report which proposed policy and approach on these discretions.

It was noted that the Councils proposed position was based on the discretions approved by Derbyshire County Council, and attached, at Appendix 1 to the report,

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was a list of discretions for which employers must consider in a policy statement under the scheme.

Having considered the proposals put, Members agreed the publication of the Councils position.

Moved by Councillor Duncan McGregor and seconded by Councillor Steve Fritchley. **RESOLVED** that the policy and approach on the discretions the Council had to make be published in respect of its discretions under the LGPS.

(Section 151 Officer)

### **0416. REDUCTION IN DEBT CHARGES THROUGH USE OF RESERVES**

Councillor Clive Moesby presented a report proposing that that Council agree to re-finance the Capital Programme from reserves of £3.937m rather than borrowing. He explained how this would make substantial savings through reduced debt charges.

Councillor Graham Parkin enquired if the interest rate on the reserves was less or more favourable than the cost for borrowing. The Section 151 Officer explained that the rates were immaterial as the money in question would not go out of the Authority. If it did go out of the Council, the interest rate would be whatever the base rate was at that time.

Moved by Councillor Clive Moesby and seconded by Councillor Steve Fritchley. **RESOLVED** that the Council re-finances the Capital Programme from reserves of £3.937m rather than borrowing, to make substantial savings through reduced debt charges.

(Section 151 Officer)

### **0417. EXCLUSION OF THE PUBLIC**

Moved by Councillor Tom Munro and seconded by Councillor Duncan McGregor **RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed. [The category of exempt information is stated after each Minute].

### **0418. HEAD OF FINANCE AND RESOURCES – SECTION 151 OFFICER**

Members gave consideration to a report of the Portfolio Holder for Finance and Resources which sought approval to establish the post of Head of Service – Finance and Resources (including S151 statutory responsibility) for Bolsover District Council, to disestablish the Joint Head of Service – Finance and Resources post and also Chief Accountants post and to appoint a dedicated Head of Service – Finance and Resources (including S151 statutory responsibility) for Bolsover District Council.

Members gave consideration to the report and the rationale detailed within.



## COUNCIL

Moved by Councillor Clive Moesby and seconded by Councillor Steve Fritchley

**RESOLVED** that

- 1) the post of Head of Service – Finance and Resources (including S151 statutory responsibility) for Bolsover District Council be established
- 2) both posts of Joint Head of Service – Finance and Resources and Chief Accountant be disestablished and
- 3) Theresa Fletcher be appointed as Head of Service – Finance and Resources (including S151 statutory responsibility) for Bolsover District Council.

(Chief Executive Officer)

(**Recorded Vote:** Councillor James Watson – Abstention)

### 0419. PROPOSED ADDITION TO MANAGEMENT CAPACITY

At its September meeting the Executive approved to increase capacity within the Senior Management Team by adding a Bolsover only Director of Development and a Bolsover only Assistant Director of Development to the Bolsover establishment. Members gave consideration to the report to formally establish these two positions to ratify the interview process and to make the formal appointments as a result of recent recruitment exercises. In addition, the report requested to disestablish the post of the Joint Head of Property and Estates.

Having considered the content of the report Members were satisfied to make the following agreements:

Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor

**RESOLVED** that

- 1) the posts of Director of Development and Assistant Director of Development as outlined in the appendices to the report and on the terms and conditions outlined within the Leaders report to Executive be established,
- 2) the appointment of the panel to interview the Director of Development be ratified as set out within the report,
- 3) the appointment of the panel to interview the Assistant Director of Development be ratified as set out within the report,
- 4) that Grant Galloway be appointed to the post of Director of Development for Bolsover District Council,
- 5) that Chris Fridlington be appointed to the post of Assistant Director of Development for Bolsover District Council; and
- 6) the post of Joint Head of Property and Estates be disestablished.

(Chief Executive Officer)

(**Recorded Vote:** Councillor James Watson – Abstention)

## COUNCIL

**0420. DEVELOPMENT PROPOSAL – WHITWELL CLUSTER – B@HOME  
FRAMEWORK (DEFERRED)**

At the commencement of the meeting it was resolved that the Development Proposal – Whitwell Cluster – B@Home Framework be deferred to a future meeting of Council.

The meeting closed at 10:59 hours.

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This report is public

## **Bolsover District Council**

### **Council**

**15 January 2020**

## **Review of Polling Districts, Polling Places and Polling Stations 2019**

### **Report of the Chief Executive Officer**

#### **Purpose of the Report**

The report sets out proposals to consider and approve for the provision of Polling Districts, Polling Places and Polling Stations within Bolsover District Council area following a review undertaken in accordance with the Electoral Registration and Administration Act 2013.

#### **1 Report Details**

##### **Background**

- 1.1 The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary Polling Districts and Polling Places. This review has been undertaken in line with the compulsory review which must be started and completed between 1 October 2018 and 31 January 2020 (inclusive).
- 1.2 The Act requires that relevant authorities must:-
  - (a) seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practical in the circumstances.
  - (b) seek to ensure that as far as is reasonable and practical the polling places they are responsible for are accessible to electors including those who are disabled and when considering the designation of a Polling Place must have regard to the accessibility needs of disabled persons.
- 1.3 The revised Register of Electors was published on 1 December 2019. The proposals in this report have no effect on polling district boundaries and are limited to minor changes to the provision of polling places. These changes do not require the register to be republished.
- 1.4 Council are reminded that a Review was undertaken in 2018 following the Local Government Boundary Commission for England's Review of Electoral Arrangements which saw a number of changes to District Wards, Polling Districts and revised Parish/Parish Ward electoral arrangements.

## **The Review Process**

- 1.5 The publication of the Notice of Review was published on 4 October 2019 and the initial consultation period commenced on 7 October 2019 as required by legislation.
- 1.6 The consultation period sought representations from Electors, District Councillors, Members of Parliament, Parish and Town Councils, Political Parties and existing Polling Place contacts. The consultation documents were sent to all stakeholders, including District Councillors, Parish Councils, County Councillors, MPs, MEP's and other interested parties who have particular expertise in certain fields, for example disability access issues. All comments/submissions were required to be submitted by 1 November 2019. During this period, maps showing the Polling Districts and existing Polling Places were published on the Council's website. Following the initial consultation period, the Acting Returning Officer (ARO) published proposals for Polling Districts and Polling Places on 15 November 2019 with a further deadline of 29 November 2019 for receipt of public comments on the Acting Returning Officer comments and proposals.

## **Overview of the Review Process**

- 1.7 The Council is responsible for the designation of Polling Districts and Polling Places and the Returning Officer is responsible for determining the number of Polling Stations within each Polling Place.
- 1.8 A Polling District effectively sub divides an electoral ward (where necessary) into smaller geographical areas for polling purposes.
- 1.9 A Polling Place is a building or area approved by the Council at which the electors in the relevant Polling District will be allotted to vote by the Returning Officer. The Polling Place must be an area in the District, unless special circumstances make it desirable to designate an area wholly or partly outside the District. (for example, if no accessible polling place can be identified in the District.)
- 1.10 When undertaking a review the Council is required to give due regard to the following considerations:-
- It must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances;
  - It must seek to ensure that so far as is reasonable and practicable every Polling Place for which it is responsible is accessible to electors who are disabled;
  - Where possible the Polling Place should be in its own Polling District unless special circumstances make it desirable to designate an area wholly or partly outside the district (for example. If no accessible Polling Place can be identified in the District);
  - Where possible each parish (and each parish ward) should be a separate Polling District or Polling Districts;

1.11 The Review is a function of the Council and not the Electoral Registration Officer or Acting Returning Officer and therefore this report is before the Council for consideration.

### Consultation Responses

1.12 A total of 5 submissions were received during the initial consultation period. 3 of the 5 submissions were received supporting the continued use of the polling place/station.

1.13 The Acting Returning Officer's final proposals are set out below:-

### Bolsover Constituency

Ward: Ault Hucknall

| No. | Polling District | Polling Place /Polling Station              | Submission  |
|-----|------------------|---|---|
| 1   | AHK1             | Parish Church of St Leonards, Scarcliffe    | Submission received from Parish Council in support of continued use |
| 2   | AHK2             | Palterton Welfare                           | Recommended for continued use                                       |
| 3   | AHK3             | Verney Institute, Pleasley                  | Recommended for continued use                                       |
| 4   | AHK4             | New Houghton Community Centre               | Recommended for continued use                                       |
| 5   | AHK5             | The Glapwell Centre                         | Recommended for continued use                                       |
| 6   | AHK6             | Community Room, Bramley Vale Primary School | Recommended for continued use                                       |
| 7   | AHK7             | The Shoulder, Hardstoft                     | Recommended for continued use                                       |

Ward: Blackwell

| No. | Polling District | Polling Place /Polling Station | Submission  |
|-----|------------------|--------------------------------|---|
| 8   | BLK1             | Blackwell Community Centre     | Submission received from Parish Council in support of continued use |
| 9   | BLK2             | Hilcote Community Centre       | Submission received from Parish Council in support of continued use |
| 10  | BLK3             | Newton Community Centre        | Submission received from Parish Council in support of continued use |
| 11  | BLK4             | Westhouses Primary School      | Recommended for continued use                                       |

Ward: Bolsover North and Shuttlewood

| No. | Polling District | Polling Place /Polling Station       | Submission                    |
|-----|------------------|--------------------------------------|-------------------------------|
| 12  | BNS1             | Brockley Primary School, Shuttlewood | Recommended for continued use |
| 13  | BNS2             | Assembly Hall, Bolsover              | Recommended for continued use |
| 14  | BNS3             | Bolsover Parish Rooms                | Recommended for continued use |

Ward: Bolsover East

| No.     | Polling District | Polling Place /Polling Station | Submission                    |
|---------|------------------|--------------------------------|-------------------------------|
| 15 & 16 | BOE1             | Assembly Hall, Bolsover        | Recommended for continued use |
| 17      | BOE2             | Mobile Unit, Whaley Common     | Recommended for continued use |

Ward: Bolsover South

| No.     | Polling District | Polling Place /Polling Station   | Submission                    |
|---------|------------------|----------------------------------|-------------------------------|
| 18 & 19 | BOS1             | Bainbridge Hall Community Centre | Recommended for continued use |
| 20      | BOS2             | Hillstown Village Hall           | Recommended for continued use |

Ward: Barlborough

| No. | Polling District | Polling Place /Polling Station | Submission                    |
|-----|------------------|--------------------------------|-------------------------------|
| 21  | BRB1             | Little School, Barlborough     | Recommended for continued use |
| 22  | BRB1             | Little School, Barlborough     | Recommended for continued use |
| 23  | BRB2             | The Arc, Clowne                | Recommended for continued use |

Ward: Clowne East

| No. | Polling District | Polling Place /Polling Station | Submission                    |
|-----|------------------|--------------------------------|-------------------------------|
| 24  | CLE1             | Clowne Community Centre        | Recommended for continued use |
| 25  | CLE1             | Clowne Community Centre        | Recommended for continued use |
| 26  | CLE1             | Clowne Community Centre        | Recommended for continued use |

Ward: Clowne West

| No. | Polling District | Polling Place /Polling Station | Submission                    |
|-----|------------------|--------------------------------|-------------------------------|
| 27  | CLW1             | The Arc, Clowne                | Recommended for continued use |
| 28  | CLW2             | The Oxcroft Centre, Stanfree   | Recommended for continued use |

Ward: Elmton with Creswell

| No.               | Polling District | Polling Place /Polling Station | Submission   |
|-------------------|------------------|--------------------------------|--|
| 29,<br>30 &<br>31 | ELM1             | Creswell Events Centre         | Recommended for continued use  |
| 32                | ELM2             | Hodthorpe Social Club          | Venue changed from Hodthorpe School to avoid its closure on polling day. Submission received from Parish Council in support of continued use |

Ward: Langwith

| No. | Polling District | Polling Place/Polling Station             | Submission   |
|-----|------------------|---|--|
| 33  | LNG1             | Whaley Thorns and Langwith Village Hall   | Recommended for continued use  |
| 34  | LNG2             | Gate Hotel, Langwith Junction             | Submission received from ward members that the previous venue, Langwith Bassett Community Hall, was too far away from the more populated area of the ward and not easily accessible. Recommend change to The Gate Hotel. |
| 35  | LNG3             | Mobile Unit, Langwith Junction Bowls Club | Recommended for continued use but will be kept under review if suitable permanent venue is found.  |
| 36  | LNG4             | Shirebrook Village Hall                   | Recommended for continued use  |

Ward: Pinxton

| No.              | Polling District | Polling Place/Polling Station | Submission  |
|------------------|------------------|-------------------------------|---|
| 37,<br>38,<br>39 | PNX1             | Pinxton Village Hall          | Submission received from ward member suggesting alternative venues in Pinxton due to political activity at the 2019 local elections. Recommended for continued use but will be kept under review. |

Ward: Shirebrook North

| No. | Polling District | Polling Place/Polling Station            | Submission                    |
|-----|------------------|--|-------------------------------|
| 40  | SHN1             | Carter Lane Community Centre, Shirebrook | Recommended for continued use |
| 41  | SHN2             | Shirebrook Village Hall                  | Recommended for continued use |

Ward: Shirebrook South

| No. | Polling District | Polling Place/Polling Station | Submission                    |
|-----|------------------|-------------------------------|-------------------------------|
| 42  | SHS1             | Shirebrook Methodist Church   | Recommended for continued use |
| 43  | SHS2             | Victoria Inn                  | Recommended for continued use |
| 44  | SHS3             | Shirebrook Methodist Church   | Recommended for continued use |



Ward: South Normanton East

| No. | Polling District | Polling Place/Polling Station | Submission                    |
|-----|------------------|-------------------------------|-------------------------------|
| 45  | SNE1             | St Michael's Church           | Recommended for continued use |
| 46  | SNE2             | The Junction 28 Church        | Recommended for continued use |

Ward: South Normanton West

| No.              | Polling District | Polling Place/Polling Station  | Submission  |
|------------------|------------------|--------------------------------|---|
| 47,<br>48,<br>49 | SNW1             | Market Street, South Normanton | To enable use of the Post Mill Centre and Zion Methodist Church as appropriate/available. |
| 50               | SNW2             | The Boundary Public House      | Recommended for continued use   |

Ward: Tibshelf

| No. | Polling District | Polling Place/Polling Station | Submission                    |
|-----|------------------|-------------------------------|-------------------------------|
| 51  | TIB1             | Tibshelf Village Hall         | Recommended for continued use |
| 52  | TIB2             | The Pavilion                  | Recommended for continued use |

Ward: Whitwell

| No.        | Polling District | Polling Place/Polling Station | Submission                    |
|------------|------------------|-------------------------------|-------------------------------|
| 53 &<br>54 | WHT1             | Whitwell Community Centre     | Recommended for continued use |
| 55         | WHT2             | Bakestone Moor                | Recommended for continued use |

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

### **Final proposals and schedule of revised Polling Districts and Polling Places**

- 2.1 The Council is required to provide Polling Stations throughout its area for use at election time and they should be convenient and accessible for use by the electorate. The Acting Returning Officer has the authority (contained within statute) to require schools to make themselves available for use as a Polling Station.
- 2.2 However, the Council has no such power in respect of private premises and can only request the use of privately owned facilities.

- 2.3 In an ideal world, electoral administrators would have the choice of a range of fully accessible buildings conveniently located for electors in the area. In the past the Council has used a mix of schools and private premises – where alternative premises exist in place of Schools, the Council has sought to move into the private premises.
- 2.4 Subject to approval of the final proposals schedule, it will be necessary to publish a revised schedule of Polling Districts and Polling Places together with the relevant maps. The schedule will be amended further to reflect any changes made by the Council before publication.

### **Completion of the Review**

- 2.5 Once the Council has agreed the final proposal schedule, details of the Polling Districts and Polling Places must be made available to the public. This will be published on the Council's website and at the Council's Offices.

In addition, the Council must also publish:-

- All correspondence sent to the Acting Returning Officer in connection with the review or sent by the ARO to persons with particular expertise on access issues;
- All representations made by any person in connection with the review;
- The minutes of any meeting held by the Council;
- Details of where the results of the review have been published.

### **Appeals Process**

- 2.6 Following the conclusion of the local authority's review, certain persons have the right to make representations to the Electoral Commission. If, on receipt of the representations, the Electoral Commission find that the review did not:-
- meet the reasonable requirements of the electors in the constituency or a body of them; or
  - take sufficient account of the accessibility for disabled persons of a Polling Station/Polling Stations with a designated Polling Place

then the Commission may direct the Council to make any alterations to the Polling Places as they think necessary and if the alterations are not made within two months, make the alterations themselves.

## **3 Consultation and Equality Impact**

- 3.1 In carrying out the Review of Polling Districts and Polling Places, the Council has undertaken a public consultation exercise and specifically sought out the views or comments from electors and any persons or bodies with expertise in access to premises or facilities for persons with any type of disability.

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

- 4.1 The Council has a statutory duty to revise Polling Districts and Polling Places in order to implement the outcome of the Review.

#### **5 Implications**

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

- 5.1 There are no financial implications arising from this report. The risk implications are contained within the report.

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

- 5.2 The legal implications are contained within the report.

##### **5.3 Human Resources Implications**

- 5.3 The work in carrying out the Review and implementing any changes will be undertaken by the Electoral Services Team using existing resources.

#### **6 Recommendations**

- 6.1 That the Council approve the final proposals schedule setting out any changes to the designated Polling Places.
- 6.2 The Chief Executive be requested to formally publish the Notice of Conclusion of the Review, its findings, the responses from consultees and all other relevant documentation.
- 6.3 To note that the Electoral Registration Officer will incorporate any changes to the Polling Districts and Polling Places.

**7 Decision Information**

|  |                |
|--|----------------|
| <p><b>Is the decision a Key Decision?</b><br/>                 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:<br/>                 BDC: Revenue - £75,000 <input type="checkbox"/><br/>                 Capital - £150,000 <input type="checkbox"/><br/>                 NEDDC: Revenue - £100,000 <input type="checkbox"/><br/>                 Capital - £250,000 <input type="checkbox"/><br/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p> | No             |
| <p><b>Is the decision subject to Call-In?</b><br/>                 (Only Key Decisions are subject to Call-In)</p>   | No             |
| <p><b>District Wards Affected</b></p>  | All indirectly |
| <p><b>Links to Corporate Plan priorities or Policy Framework</b></p>   | All indirectly |

**8 Document Information**

| Appendix No   | Title          |
|---|----------------|
|   |                |
| <p><b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p> |                |
|   |                |
| Report Author   | Contact Number |
| Rachel Leadbeater   | 242422         |

Report Reference –

**Bolsover District Council**

**Council**

**15th January 2020**

**Annual Audit Letter – 2018/19**

**Report of Councillor Clive Moesby, Portfolio Holder for Finance + Resources**

This report is public

**Purpose of the Report**

- For Council to consider the Annual Audit Letter in respect of 2018/19 (**Appendix 1**) which has been prepared by Mazars for consideration by elected Members of the Council and other stakeholders.

**1 Report Details**

- 1.1 That Council consider **Appendix 1** from the Council's External Auditor, Mazars.

**2 Conclusions and Reasons for Recommendation**

- 2.1 To ensure that Council is able to effectively consider the outcomes of the work undertaken by the Council's external auditors.

**3 Consultation and Equality Impact**

- 3.1 None arising directly from this report.

**4 Alternative Options and Reasons for Rejection**

- 4.1 A copy of the Annual Audit Letter is available on the Council's website and was considered by the Audit Committee at its meeting on 26<sup>th</sup> November 2019. Together with inclusion on this Council agenda these measures should help ensure an appropriate level of consideration by Elected Members and other stakeholders.

**5 Implications**

**5.1 Finance and Risk Implications**

There are no additional financial implications arising from this report.

**5.2 Legal Implications including Data Protection**

None arising directly from this report.

### 5.3 Human Resources Implications

None arising directly from this report.

### 6 Recommendations

- 6.1 That Council considers and notes **Appendix 1**, the report from the Council's External Auditor, Mazars.

### 7 Decision Information

|  |               |
|--|---------------|
| <b>Is the decision a Key Decision?</b><br>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:<br><i>BDC: Revenue - £75,000</i> <input type="checkbox"/><br><i>Capital - £150,000</i> <input type="checkbox"/><br><i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/><br><i>Capital - £250,000</i> <input type="checkbox"/><br><input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i> | No            |
| <b>Is the decision subject to Call-In?</b><br>(Only Key Decisions are subject to Call-In)  | No            |
| <b>Has relevant Portfolio Member been informed?</b>  | Yes           |
| <b>District Wards Affected</b>   | None directly |
| <b>Links to Corporate Plan priorities or Policy Framework</b>  | All           |

### 8 Document Information

| Appendix No  | Title                       |
|--|-----------------------------|
| 1  | Annual Audit Letter 2018/19 |
| <b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) |                             |
| <b>Report Author</b>   | <b>Contact Number</b>       |
| Head of Finance + Resources  | 01246 242458                |

# Annual Audit Letter

## Bolsover District Council

Year ending 31 March 2019





## CONTENTS

1. Executive summary
2. Audit of the financial statements
3. Value for Money conclusion
4. Other reporting responsibilities
5. Our fees
6. Forward look

Our reports are prepared in the context of the 'Statement of responsibilities of auditors and audited bodies' issued by Public Sector Audit Appointments Ltd. Reports and letters prepared by appointed auditors and addressed to members or officers are prepared for the sole use of the Council and we take no responsibility to any member or officer in their individual capacity or to any third party.

Mazars LLP is the UK firm of Mazars, an international advisory and accountancy group. Mazars LLP is registered by the Institute of Chartered Accountants in England and Wales.



# 1. EXECUTIVE SUMMARY

## Purpose of the Annual Audit Letter

Our Annual Audit Letter summarises the work we have undertaken as the auditor for Bolsover District Council for the year ended 31 March 2019. Although this letter is addressed to the Council, it is designed to be read by a wider audience including members of the public and other external stakeholders.

Our responsibilities are defined by the Local Audit and Accountability Act 2014 (the 2014 Act) and the Code of Audit Practice issued by the National Audit Office (the NAO). The detailed sections of this letter provide details on those responsibilities, the work we have done to discharge them, and the key findings arising from our work. These are summarised below.

| Area of responsibility   | Summary   |
|--|---|
| Audit of the financial statements                                      | <p>Our auditor's report issued on 31 July 2019 included our opinion that the financial statements:</p> <ul style="list-style-type: none"><li>• give a true and fair view of the Council's financial position as at 31 March 2019 and of its expenditure and income for the year then ended; and</li><li>• have been prepared properly in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2018/19.</li></ul> |
| Other information published alongside the audited financial statements | <p>Our auditor's report issued on 31 July 2019 included our opinion that:</p> <ul style="list-style-type: none"><li>• The other information in the Statement of Accounts is consistent with the audited financial statements.</li></ul>   |
| Value for Money conclusion   | <p>Our auditor's report concluded that we are satisfied that in all significant respects, the Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2019.</p>  |
| Reporting to the group auditor   | <p>In line with group audit instructions issued by the NAO, on 31 July 2019 we reported to the group auditor in line with the requirements applicable to the Council's WGA return.</p>  |
| Statutory reporting  | <p>Our auditor's report confirmed that we did not use our powers under s24 of the 2014 Act to issue a report in the public interest or to make written recommendations to the Council.</p>  |

## 2. AUDIT OF THE FINANCIAL STATEMENTS

Opinion on the financial statements

Unqualified

### The scope of our audit and the results of our work

The purpose of our audit is to provide reasonable assurance to users that the financial statements are free from material error. We do this by expressing an opinion on whether the statements are prepared, in all material respects, in line with the financial reporting framework applicable to the Council and whether they give a true and fair view of the Council's financial position as at 31 March 2019 and of its financial performance for the year then ended.

Our audit was conducted in accordance with the requirements of the Code of Audit Practice issued by the NAO, and International Standards on Auditing (ISAs). These require us to consider whether:

- the accounting policies are appropriate to the Council's circumstances and have been consistently applied and adequately disclosed;
- the significant accounting estimates made by management in the preparation of the financial statements are reasonable; and
- the overall presentation of the financial statements provides a true and fair view.

Our auditor's report, issued to the Council on 31 July 2019, stated that, in our view, the financial statements give a true and fair view of the Council's financial position as at 31 March 2019 and of its financial performance for the year then ended.

### Our approach to materiality

We apply the concept of materiality when planning and performing our audit, and when evaluating the effect of misstatements identified as part of our work. We consider the concept of materiality at numerous stages throughout the audit process, in particular when determining the nature, timing and extent of our audit procedures, and when evaluating the effect of uncorrected misstatements. An item is considered material if its misstatement or omission could reasonably be expected to influence the economic decisions of users of the financial statements.

Judgements about materiality are made in the light of surrounding circumstances and are affected by both qualitative and quantitative factors. As a result we have set materiality for the financial statements as a whole (financial statement materiality) and a lower level of materiality for specific items of account (specific materiality) due to the nature of these items or because they attract public interest. We also set a threshold for reporting identified misstatements to the Audit Committee. We call this our trivial threshold.

The table below provides details of the materiality levels applied in the audit of the financial statements for the year ended 31 March 2019:

|                                 |  |                     |
|---------------------------------|--|---------------------|
| Financial statement materiality | Our financial statement materiality is based on 2% of Gross Revenue Expenditure at a Surplus/Deficit on Provision of Services level                                | £1,464k             |
| Trivial threshold               | Our trivial threshold is based on 3% of financial statement materiality.   | £44k                |
| Specific materiality            | We have applied a lower level of materiality to the following areas of the accounts:<br>- Officers remuneration (bandings)<br>- Members allowances<br>- Audit Fees | £5k<br>£92k<br>£10k |

## 2. AUDIT OF THE FINANCIAL STATEMENTS

### Our response to significant risks

As part of our continuous planning procedures we considered whether there were risks of material misstatement in the Council's financial statements that required special audit consideration. We reported significant risks identified at the planning stage to the Audit Committee within the Audit Strategy Memorandum and provided details of how we responded to those risks in our Audit Completion Report. The table below outlines the identified significant risks, the work we carried out on those risks and our conclusions.

| Identified significant risk  | Our response   | Our findings and conclusions   |
|--|--|--|
| <p><b>Management override of controls</b></p> <p>Management at various levels within an organisation are in a unique position to perpetrate fraud because of their ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Due to the unpredictable way in which such override could occur there is a risk of material misstatement due to fraud on all audits.</p> | <p>We addressed this risk by:</p> <ul style="list-style-type: none"> <li>• Documenting our understanding of the processes and controls in place to mitigate the risks identified, and walk through those processes and controls to confirm our understanding;</li> <li>• Testing the appropriateness of journal entries recorded in the general ledger and other material adjustments made in the preparation of the financial statements;</li> <li>• Evaluating the business rationale for any significant transactions outside the course of the business;</li> <li>• Understanding the oversight given by those charged with governance of management process over fraud;</li> <li>• Making enquiries of management and Internal Audit regarding actual or any suspicions of fraud; and</li> <li>• Considering whether the Council's accounting policies are consistent with industry standards.</li> </ul> | <p>There are no matters arising from our work on management override of controls</p> |
| <p><b>Valuation of property, plant and equipment and investment properties</b></p> <p>The Council employs a valuation expert to provide information on revaluations, however there remains a high degree of estimation uncertainty associated with the revaluations of PPE due to the significant judgements and number of variables involved.</p>   | <p>We addressed this risk through performing the following audit work:</p> <ul style="list-style-type: none"> <li>• Testing a sample of assets valued during the year to valuation reports;</li> <li>• Where material, testing the basis for impairment of assets, the value and correct accounting treatment;</li> <li>• Critically assessing the Council's valuer's scope of work and methodology used for a sample of valuations; and</li> <li>• Considering the impact of any assets not valued during the year.</li> </ul>  | <p>We are satisfied the estimates were reasonable and materially correct.</p>        |

## 2. AUDIT OF THE FINANCIAL STATEMENTS

### Our response to significant risks (continued)

| Identified significant risk  | Our response   | Our findings and conclusions  |
|--|--|---|
| <p><b>Valuation of defined benefit pension net liability</b></p> <p>The Council's accounts contain material liabilities relating to the Local Government Pension Scheme (LGPS). The Council uses an actuary to provide an annual valuation of these liabilities in line with the requirements of IAS 19 Employee Benefits. Due to the high degree of estimation uncertainty associated with this valuation, we have determined there is a significant risk in this area.</p> | <p>To address this risk we:</p> <ul style="list-style-type: none"> <li>Reviewed the appropriateness of the Pension Asset and Liability valuation methodologies applied by the Pension Fund Actuary, and the key assumptions included within the valuation. This included comparing them to expected ranges, utilising information provided by PWC, the consulting actuary engaged by the National Audit Office;</li> <li>Agreed the data in the IAS 19 valuation reports provided by the Fund Actuary for accounting purposes to the pension accounting entries and disclosures in the Council's financial statements;</li> <li>Critically assessed the competency, objectivity and independence of the Nottinghamshire Pension Fund's Actuary, Hymans Robertson; and</li> <li>Liaised with the auditors of the Derbyshire Pension Fund to gain assurance that the controls in place at the Pension Fund are operating effectively. This included the processes and controls in place to ensure data provided to the Actuary by the Pension Fund for the purposes of the IAS 19 valuation is complete and accurate.</li> </ul> | <p>The Council obtained an updated IAS19 valuation report from the Actuary in July 2019, to take into account:</p> <ul style="list-style-type: none"> <li>the implications of the GMP and McCloud judgments, which impacted on the estimated pension liabilities and had not been taken into account by the Actuary in their original report; and</li> <li>changes to the Pension Fund's asset values at 31 March 2019, as the Actuary's original report had been based on a forecast year-end valuation.</li> </ul> <p>The report included material differences to the original report used to prepare the draft financial statements. Management amended the draft financial statements for these differences.</p> <p>We are satisfied that the final estimates included in the financial statements are reasonable and materially correct.</p> |

# 2. AUDIT OF THE FINANCIAL STATEMENTS

## Internal control recommendations

As part of our audit we considered the internal controls in place that are relevant to the preparation of the financial statements. We did this to design audit procedures that allow us to express our opinion on the financial statements, but this did not extend to us expressing an opinion on the effectiveness of internal controls. The matters we report are limited to those deficiencies and other control recommendations that we have identified during our normal audit procedures and that we consider to be of sufficient importance to merit being reported. We have not identified any significant control deficiencies that we are required to report to you.



# 3. VALUE FOR MONEY CONCLUSION

Value for Money conclusion

Unqualified

## Our approach to Value for Money

We are required to consider whether the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. The NAO issues guidance to auditors that underpins the work we are required to carry out in order to form our conclusion, and sets out the criterion and sub-criteria that we are required to consider.

The overall criterion is that, 'in all significant respects, the Council had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.' To assist auditors in reaching a conclusion on this overall criterion, the following sub-criteria are set out by the NAO:

- Informed decision making
- Sustainable resource deployment
- Working with partners and other third parties

Our auditor's report, issued to the Council on 31 July 2019, stated that, in all significant respects, the Council put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31<sup>st</sup> March 2019.

## Significant Value for Money risks

The NAO's guidance requires us to carry out work to identify whether or not a risk to the Value for Money conclusion exists. Risk, in the context of our Value for Money work, is the risk that we come to an incorrect conclusion rather than the risk of the arrangements in place at the Council being inadequate. In our Audit Completion Report we reported that we had not identified any significant Value for Money risks but we set out our findings in relation to two areas which we had kept under review:

- Financial sustainability - the 2020/21 onwards financial position is uncertain, which is a common issue for all bodies in the local government sector. The current service demands and funding assumptions indicate a likely shortfall in those years with nearly £1m savings required by 2020/21. The Council was revisiting its budget and setting up a transformation team and programme which is expected to generate proposals to bridge the gap. We needed to monitor the progress made and revisit position in relation to this significant risk before forming our VFM conclusion.
- Commercial Property Investment Strategy – the initial proposals considered by members were being developed further with a view to ensuring the Council has a clear strategy and established governance arrangements for properly considering options and opportunities. The Executive considered the latest strategy in February 2019 and we needed to keep a watching brief on these activities.

Before forming our Value for Money Conclusion we:

- Reviewed the 2018/19 financial performance and forecasts during the year and considered the Council's financial outturn position as presented in the financial statements.
- Reviewed the 2019/20 Revenue and Capital budgets and Medium Term Financial Plan, Treasury Management Strategy, incorporating the Minimum Revenue Provision Policy and Capital and Investment Strategies
- Considered the Council's latest financial monitoring information and its updated medium term outlook
- Discussed the Transformation Programme arrangements with managers and reviewed progress monitoring reports
- Continued to monitor steps taken in relation to the commercial property investments and confirmed that there are no significant matters relevant to our VFM conclusion.

1. Executive summary

2. Audit of the financial statements

3. Value for Money conclusion

4. Other reporting responsibilities

5. Our fees

6. Forward look

### 3. VALUE FOR MONEY CONCLUSION

Value for Money conclusion

Unqualified

The Council recognises the key issues are achieving efficiencies to balance its medium term financial plan, in the face of demand and cost pressures, and managing its general reserves to a level that ensures it remains financially resilient and able to deliver sustainable services. The Medium Term Financial Plan (MTFP) sets out the key assumptions on both income and expenditure as well as the savings required over the period. The 2018/19 Derbyshire Business Rates Pilot has provided a gain of around £1.7m and the £8.3m 'Transformation' reserve provides the Council with a platform for the next 12-18 months important to deliver the transformation required to secure long term financial sustainability. The Transformation Programme is broad based and includes themes designed to strengthen the organisation's capacity and capability to escalate the delivery of the specific improvements and efficiencies required in the medium term. There are programme and project management arrangements in place and progress is being tracked. The identification and delivery of savings will continue to be challenging and further work is in hand to firm up specific saving plans for 2020/21 and beyond. The outcome of the Fair Funding review will help inform the Council's plans.

From the work performed, no new significant VFM risks were identified.

## 4. OTHER REPORTING RESPONSIBILITIES

|   |                                      |
|---|--------------------------------------|
| <b>Exercise of statutory reporting powers</b>   | <b>No matters to report</b>          |
| <b>Reporting to the NAO in respect of Whole of Government Accounts consolidation data</b> | <b>Assurance Statement submitted</b> |
| <b>Other information published alongside the audited financial statements</b>             | <b>Consistent</b>                    |

The NAO's Code of Audit Practice and the 2014 Act place wider reporting responsibilities on us, as the Council's external auditor. We set out below, the context of these reporting responsibilities and our findings for each.

### Matters on which we report by exception

The 2014 Act provides us with specific powers where matters come to our attention that, in our judgement, require reporting action to be taken. We have the power to:

- Issue a report in the public interest;
- make statutory recommendations that must be considered and responded to publicly;
- apply to the court for a declaration that an item of account is contrary to law; and
- issue an advisory notice under schedule 8 of the 2014 Act.

We have not exercised any of these statutory reporting powers.

The 2014 Act also gives rights to local electors and other parties, such as the right to ask questions of the auditor and the right to make an objection to an item of account. We did not receive any such objections or questions.

### Reporting to the NAO in respect of Whole of Government Accounts consolidation data

The NAO, as group auditor, requires us to complete the WGA Assurance Statement in respect of its consolidation data. We submitted this information to the NAO on 31 July 2019.

### Other information published alongside the financial statements

The Code of Audit Practice requires us to consider whether information published alongside the financial statements is consistent with those statements and our knowledge and understanding of the Council. In our opinion, the other information in the Statement of Accounts is consistent with the audited financial statements.



## 5. OUR FEES

### Fees for work as the Council's auditor

We reported our proposed fees for the delivery of our work in the Audit Strategy Memorandum, presented to the Audit Committee in April 2019.

We have completed our work for the 2018/19 financial year, including the additional work required relating to the material amendments to the Pension estimates included in the Financial Statements as described at page 5. The final fee for the audit is subject to PSAA approval and has not been confirmed yet:

| Area of work  | 2018/19 proposed fee | 2018/19 final fee* |
|---|----------------------|--------------------|
| Delivery of audit work under the NAO Code of Audit Practice | £38,046              | £38,046*           |

\* the final fee for the 2018/19 audit has not been confirmed yet.

### Fees for other work

We confirm that we have not undertaken any non-audit services for the Council in the year.

## 6. FORWARD LOOK

### Audit Developments

#### **Code of Audit Practice**

The Code of Audit Practice sets out what local auditors of relevant local public bodies are required to do to fulfil their statutory responsibilities under the Local Audit and Accountability Act 2014. We have responded to the National Audit Office's consultation on the content of the Code (<https://www.nao.org.uk/code-audit-practice/about-code/>)

A new Code will be laid in Parliament in time for it to come in to force no later than 1 April 2020.

#### **Financial Resilience**

##### **Fair Funding Review**

The Council will need to incorporate the outcome of the Spending Review, due in the latter half of 2019, into its Medium Term Financial Plan. The Spending Review will set out the department allocations for 2020/21 and potentially beyond. Regardless of the timing and period covered by the Spending Review, the Council recognises the key issue is the management of general reserves to a level that ensures it remains financially resilient and able to deliver sustainable services. It must, therefore, ensure it clarifies and quantifies how it will bridge the funding gap through planned expenditure reductions and/ or income generation schemes.

##### **Local Authority Financial Resilience Index**

CIPFA is moving forward with its financial resilience index, which it believes will be a barometer on which local authorities will be judged. We would expect the Council to have at least considered the index once it is formally released.

##### **Commercialisation**

The National Audit Office will be publishing a report on Commercialisation during 2019. Depending on the Council's appetite for Commercialisation, we would expect the Council to consider the outcome of the report and ensure any lessons learnt are incorporated into business practice.

Further, the UK Debt Management Office's Annual Report, published on 23 July 2019, reported that, as at 31 March 2019, the Public Works Loan Board's loan book was £78.3 billion with 1,308 new loans totalling £9.1 billion advanced during the year. As a result, we expect local authorities to clearly demonstrate:

- the value for money in the use of Public Works Loan Board funds to acquire commercial property
- the arrangements for loan repayment through the updated Statutory Guidance on Minimum Revenue Provision in 2019/20, 2020/21 and beyond.

### Financial Reporting

#### **UK Local Government Annual Accounts**

The CIPFA/LASAAC Local Authority Code Board specifies the financial reporting requirements for UK local government. A consultation is underway to inform the direction and strategy for local government annual accounts. We will be submitting our response and suggest practitioners also voice their opinion.

#### **Lease accounting**

The implementation of IFRS 16 Leases in the Code is delayed until 1 April 2020. The Council will need a project plan to ensure the data analysis and evaluation of accounting entries is completed in good time to ensure any changes in both business practice and financial reporting are captured.

# 6. FORWARD LOOK

## Financial outlook

It is clear that the Council faces some of the most difficult decisions it has ever faced in balancing the budget going forwards. Although the Council does have reserves available to minimise the immediate impact these are a temporary or transitional cushion while the savings needed are identified and delivered.

In addition, the reserves available to support the budget are reducing and the available balances will soon reach the minimum needed to deal with unforeseen circumstances and risk, and will not be available to support the revenue budget in the way that they have in recent years. The key message from those councils that have already faced a financial crisis, such as Northamptonshire and others, is the importance of taking early action to secure financial sustainability before the position becomes unmanageable.

The position beyond 2019/20 is very uncertain as much depends on the outcome of the comprehensive spending review, fair funding review and the measures that will be taken in relation to the future operation of the business rates system. However, it seems unlikely that the overall financial position for the Council will improve sufficiently to allow it to defer any of the difficult decisions that are now needed.

Decisive action to bridge the budget gap over the medium term is a key priority for the Council.

## How we will work with the Authority

We will focus our work on the risks that your challenges present to your financial statements and your ability to maintain proper arrangements for securing value for money.

In the coming year we will continue to support the Council by:

- continued liaison with the Council's Internal Auditors to minimise duplication of work;
- attending Audit Committee meetings and presenting an Audit Progress Report including updates on regional and national developments; and
- hosting events for staff, such as our Local Government Accounts workshop.

We will meet with key Council officers to identify any learning from the 2018/19 audit and will continue to share our insights from across local government and relevant knowledge from the wider public and private sector.

In terms of the technical challenges that officers face around the production of the statement of accounts, we will continue to work with them to share our knowledge of new accounting developments and we will be on hand to discuss any issues as and when they arise.

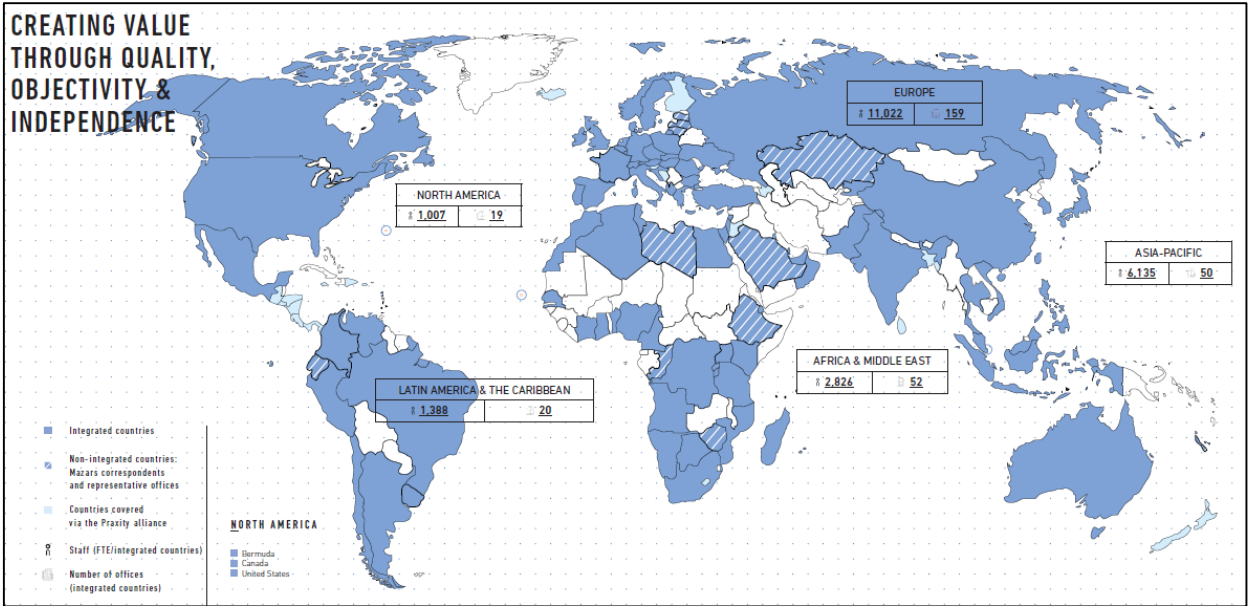
The Council has taken a positive and constructive approach to our audit and we wish to thank Members and officers for their support and co-operation during our audit.

# MAZARS AT A GLANCE

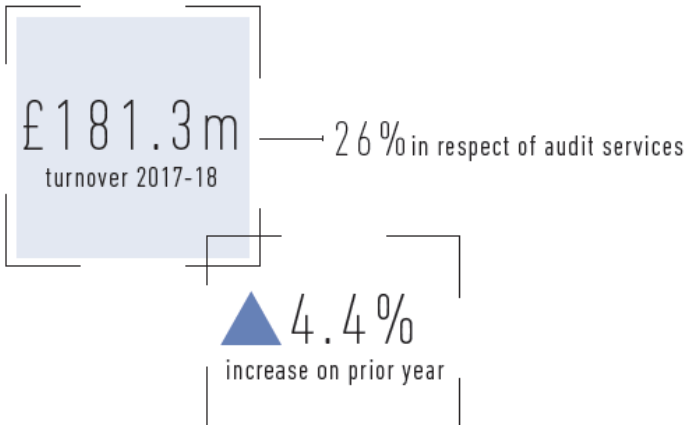
## Mazars LLP

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## Mazars Internationally



## Mazars in the UK



As at 31 August 2018

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