

## **COUNCIL**

Minutes of a meeting of the Council of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday, 19 February 2020 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillor Tom Munro in the Chair

Councillors Derek Adams, Allan Bailey, Rose Bowler, Jane Bryson, Dexter Bullock, Tracey Cannon, Nick Clarke, Tricia Clough, David Dixon, Maxine Dixon, Mary Dooley, David Downes, Steve Fritchley, Ray Heffer, Natalie Hoy, Andrew Joesbury, Chris Kane, Duncan McGregor, Evonne Parkin, Graham Parkin, Sandra Peake, Peter Roberts, Dan Salt, Liz Smyth, Janet Tait, Rita Turner (Vice-Chair), Ross Walker, Deborah Watson, James Watson and Jen Wilson.

Officers:- Karen Hanson (Strategic Director – Place), Lee Hickin (Strategic Director – People), Victoria Dawson (Deputy Monitoring Officer), Theresa Fletcher (Section 151 Officer), Grant Galloway (Director of Development), Nicola Calver (Governance Manager) and Alison Bluff (Governance Officer).

### **642 APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Ann Clarke, Jim Clifton, Pat Cooper, Paul Cooper, Clive Moesby and Tom Kirkham.

### **643 DECLARATIONS OF INTEREST**

Members were 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

Members in arrears of Council Tax by more than 2 months must not vote in decisions on, or which might affect budget calculations, and must disclose at the meeting that this restriction applied to them. A failure to comply with these requirements was a criminal offence under Section 106 of the Local Government Finance Act 1992.

Any Members who were tenants of a Council property should declare an interest but had an automatic dispensation to remain in the room, speak and vote on the item

<b>Minute Number</b>	<b>Member</b>	<b>Level of Interest</b>
0654	Councillor Mary Dooley	Disclosable Pecuniary Interest
0654 & 0655	Councillor James Watson	Significant Other Interest

With permission of the Chair, the Leader addressed the meeting suggesting

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communication on behalf of the Council with Councillors Pat and Paul Cooper, to show them support during Pat's illness.

Moved by Councillor Steve Fritchley and seconded by Councillor Tom Munro

**RESOLVED** that a letter of support be sent to Councillors Pat and Paul Cooper from the Council.

### **644 CHAIR'S ANNOUNCEMENTS**

The Chair reported that he had recently represented the Council at the Showman's Guild Luncheon and at a Derbyshire Schools Music Service Concert.

The Chair had been delighted to attend an iVenture Celebration event where nineteen young people from across 4 schools in the District had spent 4 weeks in South Africa. Two of these weeks were helping with the schools' education programme and the last 2 weeks were spent on safari, which included a lot of education on the conservation of species at risk in South Africa. The Chair hoped to organise for some representatives from iVenture to attend a future Council meeting to talk about their work.

Along with the Strategic Director – People, the Chair had also attended the Active Derbyshire Awards, where 2 of the winners had been from the District. Rhubarb Farm in Langwith had won an award for outstanding community ventures and also Joe Mason from Whitwell, who had for the last 25 years coordinated a sponsored 40 mile plus challenge walk, which had raised over £200k for local charities. The Chair and the Strategic Director – People had been immensely proud of these achievements and to have attended the awards on behalf of the Council.

Modern.Gov had now been live for a couple of weeks and Members would have been receiving notifications of their agendas being available on the Modern.Gov App. There were still a few Members who had not yet had the App installed on their iPads and these Members were requested to contact Governance to make an appointment with the Members ICT and Training Officer to arrange for this to be carried out.

### **645 MINUTES - 15TH JANUARY 2020**

Moved by Councillor Tom Munro and seconded by Councillor Rita Turner

**RESOLVED** that the Minutes of a Council meeting held on 15<sup>th</sup> January 2020 be approved as a correct record.

Councillor James Watson abstained from voting and requested his abstention be recorded in the Minutes.

### **646 STATEMENT FROM THE CHAIR REGARDING CORONA VIRUS**

The Chair made a statement to the meeting informing Members that the Council was fully

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engaged with the county wide Local Resilience Forum regarding preparedness for coronavirus. Public Health England and the County's Director of Public Health were also fully engaged at County level. So far, there were no confirmed cases within Derbyshire.

A sub-group led by health agencies was also meeting on a weekly basis to ensure that the County was prepared in the event of any confirmed cases in the future.

The Strategic Director – Place, was the Council's Emergency Planning lead and would continue to participate in all multi agency preparedness.

Business continuity plans were being reviewed to ensure that they were effective and appropriate.

Public available information was included on the Council's website with links to Government information and advice.

### 647 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.

### 648 QUESTIONS FROM MEMBERS

In accordance with Council Procedure Rule 9, Members were allowed to ask questions about Council activities. A question may only be asked if notice of 7 clear working days had been given.

Question Submitted by Councillor Peter Roberts to the Leader of the Council, Councillor Steve Fritchley

*A number of private and Council tenants have express their concerns at the apparent waste of money that is the re-roofing of Council properties currently being undertaken.*

*Many cannot see the need, they don't leak and tiles are well fastened being common comments. Therefore I would ask the Leader to explain the reason for the re-roofing with any surveying reports and other appropriate information that may help to inform our residents.*

Councillor Roberts confirmed that his question only related to re-roofing works being undertaken on Council properties in Whitwell and Hodthorpe.

The Leader replied that the Council was committed to ensuring that its properties were maintained to a high standard. A housing stock condition survey had been carried out

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and the opinion of the surveyors was that roofs were in need of replacement.

The Council should not leave properties to a point where they were in disrepair, which caused damage, upset and distress to a tenant. Roof tiles that became brittle and damaged caused leaks into tenants' homes and renewal programmes were structured to avoid this situation. The roof programme in Whitwell had been put in place prior to roofs integrity failing.

In addition, whilst roofing work was being carried out, other areas were looked at, for example, fire walls, upgrade of loft insulation, replacement of rotten and flaking timber soffits and fascias, replacement of gutters and downpipes with upvc, removal or refurbishment of chimney stacks etc.

The annual review of capital spend through the Housing Stock Management Group was included in the Medium Term Financial Plan.

No supplementary question was asked by Councillor Roberts.

### 649 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 Peter Roberts:

*That Council agrees that building on Council owned garage sites must include due regard to the health and well-being of the people it affects, must be at the majority consent of the garage tenants, with any build benefiting substantially more residents than it impairs and must not substantially diminish the quality of life of the garage tenants once displaced.*

Councillor Roberts confirmed that his motion related to a garage site in Whitwell.

Councillor Ross Walker seconded Councillor Roberts' motion and reserved his right to speak. He raised concern that although he was aware the Council needed to make money and make good use of public money, it seemed that this was at the expense of services. Garages were provided for people and were in use and would be taken away from tenants and houses built on them.

Councillor Duncan McGregor replied that parking was an issue in each parish in the District. The housing waiting list for a Council property in Whitwell was long and it was more important to house people. However, the Council could look at helping with parking in different ways. Through the Council's Housing Service, Members could apply to an Environmental Fund to help with an environmental issue in their ward and parking may be something that could be considered.

Councillor James Watson agreed with Councillor McGregor's statement and added that the Council was also about equal treatment of people. Residents who had a Council garage would have those garages removed and the houses proposed to be built would have garages, thus he felt that people were being treated differently.

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The Chair noted that under current planning law, any new build property required parking provision for at least 2 vehicles and not the construction of specific garages. The Leader noted that generally, older garages were not big enough to accommodate modern cars, he added that it was important the Council built affordable houses for people who wanted to stay in the District.

In summing up his motion, Councillor Roberts agreed that the Council should build houses on sites that were not utilised, and that older garages were not quite big enough for modern cars but he felt that where garage sites were used, and where it would affect people adversely, the Council should provide more parking or leave the garage sites alone. Residents in the new properties would get a parking space but existing residents were being ignored.

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

### **650            REPORTS ON URGENCY DECISIONS TAKEN BY THE EXECUTIVE**

Council considered a report which informed Members of a recent decision taken under Special Urgency provisions by the Executive on 10<sup>th</sup> February 2020 in relation to the disposal of a parcel of land off St Martin's Walk at Hodthorpe.

In order for the development of a scheme on land to the north west of Broad Lane in Hodthorpe to commence, approval had been granted for the disposal of a Council owned ransom strip to the Developers to satisfy condition 2 of the Planning Approval.

Councillor James Watson queried why the decision had been an urgent one. Councillor McGregor replied that urgency had been necessary to ensure that the negotiated price was accepted and there was no room for the Developer to reduce the price due to a delay. By consideration of this at Executive on 10th February, the Council had been able to continue progress with the Developer's Solicitor and complete the matter promptly.

Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor **RESOLVED** that the report be noted.

Councillors James Watson and Ross Walker voted against the recommendations.

## **RECOMMENDED ITEMS**

### **651            MILEAGE AND RELATED TRAVEL EXPENSES**

Council considered a report in relation to the revised Mileage and Related Travel Expenses Policy. The Policy had been recommended to Council for approval from the Union/Employee Consultation Committee held on 6<sup>th</sup> February 2020.

Councillor James Watson proposed an amendment to the last sentence in the first paragraph on the introductory page of the Policy that the following wording highlighted in

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bold be added;

This approach supports the Council's Climate Change and Transformation Agendas ***and as such this should be considered when the Members mileage related travel policy is reviewed.***

The Deputy Monitoring Officer advised Councillor Watson that the Policy was specific to officers and as such his suggested amendment did not fit into the Policy.

Moved by Councillor Duncan McGregor and seconded by Councillor Steve Fritchley  
**RESOLVED** that the revised Mileage and Related Travel Expenses Policy be approved.

## REPORTS OF PORTFOLIO HOLDERS

### 652 2020 - 2024 COUNCIL AMBITION

Council considered a report of the Leader which set out the Council's Ambition for 2020 - 2024. The Council's Ambition would replace the Council's Corporate Plan 2015 - 2019 and outlined the key areas that the Council would focus on during 2020 - 2024.

Councillor James Watson noted that he only had sight of the Leader's report before the start of this meeting and proposed an amendment to the motion that the report be deferred to the next meeting of Council to enable Members to have time to consider it. Councillor Allan Bailey seconded Councillor Watson's amendment to the motion.

The Strategic Director – Place advised the meeting that the Leader had made it clear from the beginning of the development of his ambition for the Council that he wanted Scrutiny to be involved. The report had been presented to the Scrutiny Committees some time ago and had been back to Scrutiny for debate and discussion on the performance management framework which would fit under the Leader's ambition for the Council and which would be completed in the next few weeks.

Councillor Ross Walker suggested that the Council consider holding meetings in the afternoons or evenings to enable Members that worked during the day to attend more easily.

On being put to the vote Councillor Watson's amendment to the motion was lost.

Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor  
**RESOLVED** that (1) the Council's Ambition 2020 - 2024 be adopted,

(2) in consultation with the Leader, the Joint Strategic Director – Place be authorised to make any subsequent minor amendments to the Council's Ambition 2020-2024.

### 653 PROCEDURE FOR CONFERRING THE TITLE OF HONORARY

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### ALDERMAN

Council considered a report which sought Members' approval for the Council's criteria and process for conferring the title of Honorary Alderman and also for a definition of the role and limitations of Honorary Alderman.

The Council had conferred 13 Honorary Alderman since district councils were permitted this right under section 249(1) of the Local Government Act 1972.

The Act stated that *"a principal council may, by a resolution passed by not less than two thirds of the members voting thereon, at a meeting of the council specially convened for the purpose with notice of the object, confer the title of Honorary Alderman on persons who had, in the opinion of the Council, rendered eminent services to the council as past members of that council but who were not then members of the council."*

The agreed and published process and criterion for conferring the title of Honorary Alderman was not prescriptive, there was also no statutory guidance or definition of "eminent services". The Council would need to set its own criteria for the appointment of Honorary Aldermen as well as a definition of the role and limitations and proposals relating to this were set out in the report.

Councillor Ross Walker queried the cost to the Council of conferring an Honorary Alderman. The Leader replied that the cost would be in relation to an aldermanic badge, certificate and gift, and their name entered on to the Roll of Honour Board within the Council Chamber.

Councillor James Watson rejected the proposal for Honorary Alderman and put forward an amendment to the motion that the Council adopt a policy that the Council should not confer the title of Honorary Alderman. The Chair advised Councillor Watson that his proposal was not an amendment to the motion but was a direct opposition of the recommendation in the report. The Governance Manager reaffirmed to the meeting that under section 249(1) of the Local Government Act 1972, it was a right of a council to confer the title of Honorary Alderman and Councillor Watson's proposal would be an amendment to the Council's Constitution if Members agreed not to take up the right to confer the title of Honorary Alderman.

Councillor Roberts queried why the criteria for 'years' of service' had been reduced from 25 to 16 years. The Leader replied that previously the length of service criteria had been 30 years and this had been reduced to 25. The Leader felt that 16 years was still a long time for the qualifying period when Members worked extremely hard for their residents and the Council as well as the pressure on their families' lives. He felt that this hard work and commitment should be recognised and acknowledged.

Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor  
**RESOLVED** that (1) the criteria to be used in the process of conferring the title of Honorary Alderman to a nominated individual, as set out in the report, be agreed,

(2) the definition of the role and limitations of an Honorary Alderman, as set out in the report, be agreed.

Councillor James Watson voted against the recommendations.  
Having previously declared an interest in the following item of business, Councillor Mary

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Dooley stayed in the meeting, and having previously declared an interest on the following 2 items of business, Councillor James Watson left the meeting;

Members were advised that a recorded vote would be taken on the recommendations for the Medium Term Financial Plan 2020/21 to 2023/24 report.

### 654 MEDIUM TERM FINANCIAL PLAN 2020/21 TO 2023/24

Council considered a report which sought Members' approval of the proposed budget for 2020/21 for the General Fund, Housing Revenue Account and Capital Programme, as part of the Council's Medium Term Financial Plan covering the years 2020/21 to 2023/24. The report provided Members with an overview of the Council's financial position in order to inform the decision making process.

Councillor Peter Roberts queried the table in the report in relation to the proposed increase in Council Tax on a Band D property in the District. The Section 151 Officer explained that the table showed some of the options available to Council regarding any increase on a Band D property and the extra revenue it would generate. It was confirmed that the Council's share on any of these options was around 16%.

Councillor Ross Walker queried why the figures in the AMP Refurbishment Work on the Housing Revenue Account (HRA) Capital Programme, increased from £35,083 in 2019/20 to £260,000 in the following 4 years. The Section 151 Officer explained that the £260,000 would be allocated each year over the following 4 years but would be split out between all the codes marked AMP (Asset Management Plan). The £35,083 Councillor Walker referred to was the amount left in the AMP Refurbishment Work for 2019/20. The Director of Development added that he would present a report to a future meeting of Executive providing the allocation of the £260,000 between the AMP codes.

Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor  
On being put to a recorded vote it was **RESOLVED** that;

(1) in the view of the Chief Financial Officer, the estimates included in the Medium Term Financial Plan 2020/21 to 2023/24 were robust and that the level of financial reserves whilst at minimum levels were adequate, be accepted,

(2) officers to report back to Executive and the Budget Scrutiny Committee on a quarterly basis regarding the overall position in respect of the Council's budgets. These reports to include updates on achieving savings and efficiencies for 2020/21 and future years,

### GENERAL FUND

- (i) a Council Tax increase of £5.00 is levied in respect of a notional Band D property (2.83%),
- (ii) the Medium Term Financial Plan in respect of the General Fund as set out in **Appendix 1** of the report be approved as the Revised Budget 2019/20, as the Original Budget in respect of 2020/21, and the financial projection in respect of



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2021/22 to 2023/24,

- (iii) any further under spend in respect of 2019/20 be transferred to the Council's General Fund Reserves,
- (iv) on the basis that income from Planning Fees may exceed £0.500m in 2019/20, the Chief Executive Officer, in consultation with the Leader, be granted delegated powers to authorise such additional resources as necessary to effectively manage the resultant increase in workload.

### HOUSING REVENUE ACCOUNT

- (i) Council sets its rent levels in line with Government policy, increasing rent levels by CPI (1.7%) plus 1% to apply from 1 April 2020,
- (ii) the increases in respect of other charges as outlined in **Appendix 3 Table 1** be implemented with effect from 1 April 2020,
- (iii) the Medium Term Financial Plan in respect of the Housing Revenue Account as set out in **Appendix 3** of the report be approved as the Revised Budget in respect of 2019/20, as the Original Budget in respect of 2020/21, and the financial projection in respect of 2021/22 to 2023/24.
- (iv) under spends in respect of 2020/21 to 2023/24 be transferred to the HRA Revenue Reserve,

### CAPITAL PROGRAMME

- (i) the Capital Programme as set out in **Appendix 4** of the report be approved as the Revised Budget in respect of 2019/20, and as the Approved Programme for 2020/21 to 2023/24.
- (ii) the Director of Development be granted delegated powers in consultation with the Portfolio Holder and the Asset Management Group to approve the utilisation of the £260,000 of AMP Refurbishment Work allocation, with such approvals to be reported back to Executive through the Quarterly Budget Monitoring Report.

Members were advised that a recorded vote would be taken on the recommendations for the Treasury Strategy Reports 2020/21 – 2023/24.

For the motion – 27

*(Councillors Derek Adams, Rose Bowler, Jane Bryson, Dexter Bullock, Tracey Cannon, Ann Clarke, Tricia Clough, David Dixon, Maxine Dixon, Mary Dooley, David Downes, Steve Fritchley, Ray Heffer, Natalie Hoy, Andrew Joesbury, Chris Kane, Duncan McGregor, Tom Munro, Evonne Parkin, Graham Parkin, Sandra Peake, Peter Roberts, Liz Smyth, Janet Tait, Rita Turner, Deborah Watson and Jenny Wilson.*

Against the motion – 1 (Councillor Allan Bailey)

Abstentions – 2 (Councillors Dan Salt and Ross Walker)

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### 655 TREASURY STRATEGY REPORTS 2020/21 - 2023/24

Council considered a report which provided Members with information in relation to the Authority's suite of Treasury Strategies for 2020/21 to 2023/24.

Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor  
On being put to a recorded vote it was **RESOLVED** that;

(1) the Treasury Management Strategy at **Appendix 1** be approved and in particular;

(i) the Borrowing Strategy,

(ii) the Treasury Management Investment Strategy,

(iii) the use of the external treasury management advisors Counterparty Weekly List – or similar - to determine the latest assessment of the counterparties that meet the Authority's Criteria before any investment is undertaken,

(iv) the Prudential Indicators,

(2) the Capital Strategy as set out in **Appendix 2** be approved and in particular;

(i) the Capital Financing Requirement,

(ii) the Minimum Revenue Provision Statement for 2020/21,

(iii) the Prudential Indicators for 2020/21 detailed in the Capital Strategy, in particular;

Authorised Borrowing Limit	£126,688,662
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Operational Boundary	£121,688,662
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Capital Financing Requirement	£116,688,662
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(3) the Corporate Investment Strategy as set out in **Appendix 3** be approved.

For the motion – 29

*(Councillors Derek Adams, Rose Bowler, Jane Bryson, Dexter Bullock, Tracey Cannon, Ann Clarke, Tricia Clough, David Dixon, Maxine Dixon, Mary Dooley, David Downes, Steve Fritchley, Ray Heffer, Natalie Hoy, Andrew Joesbury, Chris Kane, Duncan McGregor, Tom Munro, Evonne Parkin, Graham Parkin, Sandra Peake, Peter Roberts, Dan Salt, Liz Smyth, Janet Tait, Rita Turner, Ross Walker, Deborah Watson and Jenny Wilson.*

Against the motion – 1 (Councillor Allan Bailey)

Abstentions – 0

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Councillor James Watson returned to the meeting.

### **656 CHAIRMAN'S CLOSING REMARKS**

The Chair thanked Members for attending the meeting. He added that Members were asked to stay behind for a presentation on the Code of Conduct. This was a mandatory session for any Member who did not attend this during the Induction sessions but would be beneficial to all Members as the Code of Conduct had been revised since the Induction sessions.

The meeting concluded at 11:12 hours.