

COUNCIL

Minutes of the Annual Meeting of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Wednesday 18th May 2022 at 1000 hours.

PRESENT:-

Members:-

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

Officers:- Karen Hanson (Executive Director Resources), Grant Galloway (Executive Director Development), Pam Brown (Assistant Director Leader's Executive, Partnerships, Governance and Communications), Jim Fieldsend (Solicitor to the Council & Monitoring Officer), Theresa Fletcher (Treasurer), Hannah Douthwaite (Governance Officer), and Alison Bluff (Senior Governance Officer (acting)).

Also in attendance at the meeting was Mrs Ruth Jaffray, Chair of Standards Committee (Coopted Member).

CL1-22/23 ELECTION OF CHAIR OF THE COUNCIL FOR THE 2022/23 MUNICIPAL YEAR

The Executive Director of Resources sought nominations for Chair of the Council for the 2022/2023 municipal year.

Moved by Councillor Steve Fritchley and seconded by Councillor Derek Adams

RESOLVED that Councillor Tom Munro be elected Chair of the Council for the 2022/2023 municipal year.

Upon being elected Chair, Councillor Tom Munro took the Chains of Office and made the declaration of acceptance of office overseen by the Monitoring Officer.

Councillor Tom Munro in the Chair

CL2-22/23 APPOINTMENT OF VICE CHAIR OF THE COUNCIL FOR THE 2022/23 MUNICIPAL YEAR

Moved by Councillor Sandra Peake and seconded by Councillor Ray Heffer.

RESOLVED that Councillor Rita Turner be appointed Vice-Chair of the Council for the 2022/2023 municipal year.

Upon being appointed Vice-Chair, Councillor Rita Turner took the Vice-Chair's Medallion and made the declaration of acceptance of office overseen by the Monitoring Officer.

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CL3-22/23 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Jane Bryson, Jim Clifton and Dan Salt.

CL4-22/23 DECLARATIONS OF INTEREST

There were no declarations of interest made.

CL5-22/23 MINUTES OF A COUNCIL MEETING HELD ON 9TH MARCH 2022

Moved by Councillor Duncan McGregor and seconded by Councillor Ray Heffer

RESOLVED that the Minutes of a Council Meeting held on 9th March 2022 be approved as a correct record.

CL6-22/23 MINUTES OF A SPECIAL COUNCIL MEETING HELD ON 23RD MARCH 2022

Councillor Evonne Parkin and Councillor Graham Parkin noted that they had both submitted their apologies for the special Council meeting on 23rd March 2022 but these did not appear in the Minutes.

Moved by Councillor Ross Walker and seconded by Councillor Sandra Peake

RESOLVED that the Minutes of a special Council meeting held on 23rd March 2022 be approved as a correct record.

CL7-22/23 MINUTES OF AN EXTRAORDINARY COUNCIL MEETING HELD ON 6TH APRIL 2022

Moved by Councillor Duncan McGregor and seconded by Councillor Rita Turner

RESOLVED that the Minutes of an extraordinary Council meeting held on 6th April 2022 be approved as a correct record.

CL8-22/23 EXECUTIVE 2022/23

The Leader of the Council confirmed his Executive Members and their Portfolios for 2022/2023, which remained unchanged from 2021/2022.

CL9-22/23 ESTABLISHMENT OF COMMITTEES AND PROPORTIONALITY 2022/23

Council considered a report presented by the Monitoring Officer in relation to the establishment of the Council's committees and proportionality for the 2022/23 Municipal Year.

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In line with the provisions within legislation and the Council's Constitution, the Annual Meeting of Council was required to:

- appoint at least one Scrutiny Committee and other such committees as the Council considered appropriate to deal with matters which were neither reserved to the Council Meeting nor were Executive Functions;
- decide the size and terms of reference for those committees;
- decide the allocation of seats to political groups in accordance with the Political Balance rules.

The size and terms of reference for each committee was set out in Appendix 1 to the report. Appendix 2 to the report showed the allocation of Committee seats which best met the requirements of Section 15 of the Local Government and Housing Act as far as was reasonably practicable.

The report proposed that the New Bolsover Joint Partnership Committee be disestablished now the completion of the New Bolsover, New Beginnings project had ended.

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

RESOLVED that (1) the Council's committees as set out in Appendix 1 to the report be established for the 2022/23 municipal year in accordance with Council Procedure Rule 1.1(k),

(2) the New Bolsover Joint Partnership Committee be disestablished,

(3) the allocation of seats on committees as set out in Appendix 2 to the report, in accordance with the political balance rules, be agreed,

(4) delegated authority be given to the Monitoring Officer in consultation with the Leader of the Council and relevant Committee Chair (when appointed) to make amendments to the terms of reference for committees arising within the 2022/23 municipal year.

(Monitoring Officer/Governance)

CL10-22/23 APPOINTMENTS TO ESTABLISHED COMMITTEES AND ADVISORY GROUPS 2022/23

Council considered a report in relation to nominations for Members to serve on committees and advisory groups with effect from 18th May 2022 for the 2022/23 Municipal Year.

The committees were subject to the political balance requirements of the Local Government and Housing Act 1989. The advisory groups were not subject to the political balance requirements.

Nominations received from political groups in advance of the meeting were detailed in Appendix 1 to the report. However, an amendment to the nominations from the Independent Group for UECC and Tenant Participation Review and Development Group

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was required and was as follows;

Union / Employee Consultation Committee (1) – Councillor Graham Parkin.

Tenant Participation Review and Development Group (1) – Councillor Andrew Joesbury.

Councillor Ross Walker submitted nominations for the Community Independent Group at the meeting and these were read out by the Senior Governance Officer (acting)).

Confirmation of all political appointments to committees and advisory groups as agreed at this meeting would be emailed to all Councillors by the Governance Team.

Moved by Councillor Andrew Joesbury and seconded by Councillor Ray Heffer

RESOLVED that (1) the nominations to committees and advisory groups as detailed at this meeting be agreed,

(2) Governance to confirm all political appointments to committees and advisory groups to all Councillors.

(Monitoring Officer/Governance)

CL11-22/23 NOMINATIONS OF CHAIRS AND VICE-CHAIRS TO ESTABLISHED COMMITTEES 2022/23

Council considered the nominations received in advance of the meeting, to Chairs and Vice Chairs of established committees, as detailed in Appendix 1 to the report.

The chairs and vice-chairs of all other joint committees and advisory groups would be selected at the first meetings of those bodies.

Moved by Councillor Chris Kane and seconded by Councillor Ray Heffer

RESOLVED that (1) the nominations of Chairs and Vice Chairs to established committees as set out in Appendix 1 to the report, be agreed,

(2) Chairs and vice-chairs of all other joint committees and advisory groups be selected at the first meetings of those bodies.

(Monitoring Officer/Governance)

CL12-21/22 APPOINTMENTS TO OUTSIDE BODIES 2022/23 (COUNCIL FUNCTIONS)

Council considered a report in relation to the proposed representatives to be appointed to Outside Bodies (Council functions) for 2022/2023.

The proposed list of Outside Bodies (Council functions) was attached at Appendix 1 to the report.

The term of office for each appointment would be with effect from 18th May 2022, until the next Annual Council, unless otherwise specified.

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Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor
RESOLVED that the proposed representatives to Outside Bodies (Council functions) as set out in Appendix 1 to the report for 2022/2023 be agreed.

(Monitoring Officer/Governance)

CL13-22/23 REVIEW OF THE COUNCIL'S CONSTITUTION 2021/22

Council considered a report which sought Members' approval for proposed amendments to the Council's Constitution as recommended by the Standards Committee as part of the Annual Review.

The Council was required by law to prepare and keep up to date a Constitution which explained how the Council operated, how decisions were made and the procedures which were to be followed to ensure that these were efficient, transparent and accountable to local people.

Article 1 of the Council's Constitution stipulated that the Monitoring Officer must monitor and review how the Council's Constitution was working to make sure it gave full effect to its purpose.

The Standards Committee had considered the Council's Constitution at its meetings held during 2021 and 2022 and the following areas and related procedures had been reviewed;

- Questions by Members (Scope and Withdrawal)
- Housing Allocations Review Panel (HARP) Terms of Reference
- Audit and Corporate Overview Scrutiny Committee Terms of Reference
- Delegation Scheme in relation to a new Senior Management Team
- Petitions Scheme
- Council Procedure Rules
- Scrutiny Procedure Rules
- Call In Procedure
- Budget and Policy Framework

Each of the amendments proposed, other than the housekeeping changes, had been set out in the rationale attached as Appendix 1 to the report. All of the amendments had been entered into the Council's Constitution at Appendix 2 to the report and appeared as 'tracked changes'. However, due to the size of Appendix 2, a paper copy had not been issued to Members with the agenda but had been emailed to all Members in advance of the meeting. The document was also published on the Council's website and was accessible to Members on their iPads.

Moved by Councillor Duncan McGregor and seconded by Councillor Deborah Watson
RESOLVED that the amendments to the Council's Constitution as detailed at Appendix 1 and set out in Appendix 2 to the report be approved.

(Monitoring Officer/Governance)

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CL14-22/23 SCHEME OF DELEGATION

Council considered a report which sought Members' approval for the Scheme of Delegation as outlined in Part 3 of the Council's Constitution.

It was a requirement under Council Procedure Rule 1.1 (o) of the Council's Constitution that the Annual Council Meeting agree the Scheme of Delegation.

The Scheme of Delegation outlined the specific delegation of Council and Executive Functions to officers. In particular;

- Executive Director of Resources
- Executive Director of Strategy and Development
- Assistant Director of Finance and Resources and Section 151 Officer
- Assistant Director of Governance and Monitoring Officer

The Scheme also outlined Proper Officer Provisions.

The Scheme was not duplicated as an attachment to the report and could be found in the link to the Delegation Scheme in the Review of the Council's Constitution report. The report suggested no further changes, and therefore agreement of the Scheme of Delegation (as a separate item), was a procedural matter only to be fulfilled at the Annual Meeting of Council.

Moved by Councillor Duncan McGregor and seconded by Councillor Tracey Cannon
RESOLVED that the Scheme of Delegation be approved.

(Monitoring Officer/Governance)

CL15-22/23 OPERATION OF URGENCY RULES AND THRESHOLDS FOR KEY DECISIONS

Council considered a report which advised Members of Key Decisions taken under statutory Special Urgency Rules in the previous 12 months, decisions taken under Urgency Rules within the Council's Scrutiny Rules (this is where call-in provisions were waived as the decision was urgent and could not be reasonably deferred), and to set the Key Decision threshold for the forthcoming year in line with the constitutional requirement at Annual Council Meetings.

The Leader was required to submit, at least on an annual basis, a report setting out those decisions where Special Urgency rules had been used. The report must cover the period since the last report was issued and contain details of the decisions that were made. Since the last such report to Council in May 2021, there had been one decision taken using Special Urgency rules. Details of this decision was attached at Appendix 1 to the report.

Members were advised of an amendment to ***recommendation 3 in the report, which should read that*** one decision was taken over the previous 12 months under Urgency provisions in the Council's Scrutiny Rules, and this was attached at Appendix 2 to the report.

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Moved by Councillor Duncan McGregor and seconded by Councillor Ray Heffer

RESOLVED that (1) the financial thresholds for Key Decisions be maintained at £75,000 (Revenue) and £150,000 (Capital),

(2) that one decision taken over the previous 12 months under Special Urgency rules be noted,

(3) that one decision taken over the previous 12 months under Urgency provisions in the Council's Scrutiny Rules be noted.

CL16-22/23 SCHEDULE OF MEETINGS 2022/23

Council considered the draft schedule of meetings for 2022/2023.

Members were asked to note that meetings were subject to change.

Councillor Ross Walker suggested that Members give consideration to some meetings being held in the evening to enable Members that worked during the day to attend those meetings.

Moved by Councillor Duncan McGregor and seconded by Councillor David Dixon that the draft schedule of meetings 2022/2023 be agreed.

On being put to the vote, it was;

30 for the motion

3 against and 1 abstention

RESOLVED that the schedule of meetings for 2022/2023 be agreed.

(Monitoring Officer/Governance)

CL17-22/23 STANDARDS COMMITTEE ANNUAL REPORT 2021/22

Council considered the Annual Report of Standards Committee 2021/2022, presented by Mrs Ruth Jaffray, Chair of Standards Committee (Coopted Member).

The report highlighted the work undertaken by the Standards Committee during 2021/2022 municipal year and included Constitution Review Work, Complaints received against Members during 2021/22 and Policy Review Work.

Members thanked Mrs Jaffray for attending the meeting and her presentation of the Annual report.

Moved by Councillor Duncan McGregor and seconded by Councillor Clive Moesby

RESOLVED that the Standards Committee Annual report be noted.

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CL18-22/23 CHAIR'S CLOSING REMARKS

The Chair informed Members of a Chair's charity event arranged for 30th September 2022, which would be a celebration of Youth Music. All Members were invited to attend and the proceeds would be donated to Ashgate Hospice.

The meeting concluded at 1030 hours.