

## COUNCIL

Minutes of the Annual Meeting of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday, 24 May 2023 at 10:00 hours.

### PRESENT:-

Members:-

Councillors David Bennett, Anne Clarke, Rowan Clarke, Amanda Davis, Mary Dooley, Will Fletcher, Louise Fox, Steve Fritchley, Justin Gilbody, Duncan Haywood, Rob Hiney-Saunders, Mark Hinman, Cathy Jeffery, Chris Kane, Lucy King, Tom Kirkham, Duncan McGregor, Clive Moesby, Tom Munro, Sandra Peake, Lisa Powell, Jeanne Rospin, John Ritchie, Phil Smith, Janet Tait, Ashley Taylor, Catherine Tite, Rita Turner, Ross Walker, Vicky Waplington, Deborah Watson, Jen Wilson (for Minutes CL1-23/24 to CL12-23/24 only), Carol Wood and Jane Yates.

Officers:- Karen Hanson (Chief Executive), Jim Fieldsend (Service Director Corporate and Legal Services & Monitoring Officer), Theresa Fletcher (Service Director Finance & Section 151 Officer), Pam Brown (Service Director Executive, Governance and Partnerships), Victoria Dawson (Assistant Director of Housing Management and Enforcement), Grant Galloway (Chief Executive – Dragonfly Developments), Amy Bryan (Governance and Civic Manager).

### **CL1-23/24                    ELECTION OF CHAIR OF THE COUNCIL FOR THE 2023/24 MUNICIPAL YEAR**

The Chief Executive sought nominations for the position of Chair of the Council for the 2023/24 Municipal Year.

Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor  
**RESOLVED** that Councillor Tom Munro be appointed Chair of the Council for the 2023/24 Municipal Year.

*Having signed the Declaration of Acceptance of Office and taken on the Chains of Office, Councillor Tom Munro took the Chair.*

*Councillor Tom Munro thanked Members for nominating him and welcomed those Members who were new to the Council and wished them all the best in serving their constituents.*

### **CL2-23/24                    APPOINTMENT OF VICE CHAIR OF THE COUNCIL FOR THE 2023/24 MUNICIPAL YEAR**

Moved by Councillor Tom Munro and seconded by Councillor Duncan McGregor  
**RESOLVED** that Councillor Rita Turner be appointed Vice Chair of the Council for the 2023/24 Municipal Year.

*Having made the Declaration of Acceptance of Office and taken the Vice Chair's medallion, Councillor Rita Turner took the Vice Chair's seat.*

## **COUNCIL**

*Councillor Rita Turner thanked Councillors for appointing her and said she would continue to try her best in the role.*

### **CL3-23/24            APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Donna Hales, Sally Renshaw and Emma Stevenson.

### **CL4-23/24            DECLARATIONS OF INTEREST**

There were no declarations made at the meeting.

### **CL5-23/24            CHAIR'S ANNOUNCEMENTS**

The Chair asked all officers present at the meeting to introduce themselves for the purposes of the new Councillors.

The Chair reported that his nominated charity for the year would be the Royal British Legion. He stated that he was a SSAFA (Soldiers', Sailors' & Airmen's Families Association) caseworker and he had found the Royal British Legion to be a generous contributor to those in need.

### **CL6-23/24            ELECTION OF LEADER OF THE COUNCIL**

The Chair sought nominations for the election of Leader of the Council.

Moved by Councillor Tom Munro and seconded by Councillor Duncan McGregor  
**RESOLVED** that Councillor Steve Fritchley be elected as Leader of the Council.

### **CL7-23/24            APPOINTMENT OF THE DEPUTY LEADER AND EXECUTIVE**

Councillor Steve Fritchley, Leader of the Council, thanked the Council for its support in electing him Leader and advised of the Members of the Executive and their respective portfolios for the 2023/24 Municipal Year. This was confirmed as follows:

Councillor Duncan McGregor	Deputy Leader and Portfolio Holder – Corporate Governance
Councillor John Ritchie	Portfolio Holder – Growth
Councillor Sandra Peake	Portfolio Holder – Housing
Councillor Mary Dooley	Portfolio Holder – Health and Wellbeing
Councillor Anne Clarke	Portfolio Holder – Environmental Health
Councillor Clive Moesby	Portfolio Holder - Resources

## COUNCIL

CL8-23/24

### ESTABLISHMENT OF COMMITTEES AND PROPORTIONALITY 2023/24

Council considered a report presented by the Monitoring Officer in relation to the establishment of the Council's committees and proportionality for the 2023/24 Municipal Year.

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 Council 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 were set out in Appendix 1 to the report. Appendix 3 to the report showed the allocation of Committee seats which best met the requirements of Section 15 of the Local Government and Housing Act 1989 as far as was reasonably practicable.

The report proposed that the Joint Employment and Appeals Committee be disestablished, as this body had dealt with appointments to the Strategic Alliance Management Team, which no longer existed. The report also proposed that the membership of Planning Committee be increased to 10 members, as well as the Local Plan Implementation Advisory Group. It was also proposed to increase the membership of the Climate Change and Communities Scrutiny Committee and the Finance and Corporate Overview Scrutiny Committee from 7 to 8 members. This would take the total seats on the scrutiny committees to 30. The final proposed change was to disestablish the Audit and Corporate Overview Scrutiny Committee and to replace it with a separate Audit Committee and a Finance and Corporate Overview Scrutiny Committee. The terms of reference for the new committee were set out in Appendix 2 to the report.

Moved by Councillor Duncan McGregor and seconded by Councillor Steve Fritchley

**RESOLVED** that (1) the Council's committees, their terms of reference and the size, as set out in Appendix 1 and 2 be established for the 2023/24 Municipal Year in accordance with Council Procedure Rule 1.1(k);

(2) the Joint Employment and Appeals Committee and Audit and Corporate Overview Scrutiny Committee be disestablished;

(3) the Council agrees the allocation of seats on committees as set out in Appendix 3, in accordance with the political balance rules;

(4) authority be delegated 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 2023/24 Municipal Year.

(Monitoring Officer/Governance & Civic Manager)

## COUNCIL

CL9-23/24

### APPOINTMENT TO COMMITTEES AND ADVISORY GROUPS 2023/24

Council considered a report in relation to nominations for Members to serve on committees and advisory groups for the 2023/24 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 same political balance requirements.

Nominations received from political groups in advance of the meeting were set out in Appendix 1 to the report, an updated copy had been circulated at the meeting.

Moved by Councillor Tom Munro and seconded by Councillor Ross Walker

**RESOLVED** that (1) the nominations to committees and advisory groups as set out below be agreed:

#### **Committees**

##### Finance & Corporate Overview Scrutiny Committee

Councillors David Bennett, Rowan Clarke, Justin Gilbody, Chris Kane, Lucy King, Tom Munro, Sally Renshaw, Jen Wilson

##### Local Growth Scrutiny Committee

Councillors Will Fletcher, Duncan Haywood, Mark Hinman, Tom Kirkham, Phil Smith, Janet Tait, Deborah Watson

##### Customer Services Scrutiny Committee

Councillors Amanda Davis, Louise Fox, Donna Hales, Lisa Powell, Rita Turner, Victoria Waplington, Jane Yates

##### Climate Change and Communities Scrutiny Committee

Councillors Rob Hiney-Saunders, Cathy Jeffery, Jeanne Rospin, Emma Stevenson, Ashley Taylor, Catherine Tite, Ross Walker, Carol Wood

##### Employee Appeals Committee

Councillor Steve Fritchley, Mark Hinman, Duncan McGregor  
Deputies – Councillors Rowan Clarke, John Ritchie, Mary Dooley

##### Employment and Personnel Committee

Councillor Mary Dooley, Duncan McGregor, Sandra Peake, Deborah Watson and (1 vacancy)

##### General Licensing Committee

Councillors David Bennett, Amanda Davis, Mary Dooley, Will Fletcher, Lucy King, Lisa Powell, Sally Renshaw, Emma Stevenson, Ashley Taylor, Rita Turner

##### Licensing and Gambling Acts Committee

Councillors David Bennett, Amanda Davis, Mary Dooley, Will Fletcher, Lucy King, Lisa Powell, Sally Renshaw, Emma Stevenson, Ashley Taylor, Rita Turner

## **COUNCIL**

### Planning Committee

Councillors Justin Gilbody, Rob Hiney-Saunders, Chris Kane, Duncan McGregor, Tom Munro, Lisa Powell, John Ritchie, Phil Smith, Janet Tait, Carol Wood

### Safety Committee

Councillors Rowan Clarke, Donna Hales, Mark Hinman, Deborah Watson, Jane Yates

### Audit Committee

Councillors Duncan Haywood, Cathy Jeffery, Chris Kane, Tom Munro, Lisa Powell, Carol Wood (and 2 co-opted members)

### Standards Committee

Councillors Anne Clarke, Louise Fox, Justin Gilbody, Clive Moesby, Catherine Tite, Jane Yates (and 1 co-opted member)

### Union/Employee Consultation Committee

Councillors Rowan Clarke, Mary Dooley, Cathy Jeffery, Sally Renshaw, Ross Walker, Vicki Waplington

## **Joint Committees**

### ICT Share Services Committee

Councillors David Bennett, Steve Fritchley and (Exec Member for ICT)

### Shared Services Scrutiny Committee (also known as Joint Scrutiny Panel)

Councillors Will Fletcher and (two vacancies – names to be confirmed)

## **Advisory Groups**

### Pleasley Park and Vale Conservation Area Joint Advisory Group

Councillors Chris Kane, Tom Kirkham, Tom Munro, John Ritchie, Catherine Tite

### Local Plan Implementation Advisory Group

Councillors Justin Gilbody, Rob Hiney-Saunders, Chris Kane, Duncan McGregor, Tom Munro, Lisa Powell, John Ritchie, Phil Smith, Janet Tait, Carol Wood

### Member Development Working Group

Councillors Rowan Clarke, Mary Dooley, Louise Fox, Tom Munro, Sandra Peake, Rita Turner, Deborah Watson

### Tenant Participation Review and Development Group

Councillors Sandra Peake, Janet Tait, Ashley Taylor, Rita Turner, Jane Yates

(Monitoring Officer/Governance & Civic Manager)

## **COUNCIL**

### **CL10-23/24      NOMINATIONS OF CHAIRS AND VICE CHAIRS TO COMMITTEES 2023/24**

Members gave consideration to the submitted nominations for Chairs and Vice Chairs and the Chair sought any further nominations from the floor.

The following positions were contested and were put to the vote as follows:

A vote was held on the appointment of Chair of the Audit Committee, nominations had been received for both Councillor Tom Munro and Councillor Carol Wood. Councillor Tom Munro was appointed as Chair of Audit Committee.

A vote was held on the appointment of Chair of the Customer Services Scrutiny Committee, nominations had been received for both Councillor Donna Hales and Councillor Louise Fox. Councillor Donna Hales was appointed as Chair of the Customer Services Scrutiny Committee.

A vote was held on the appointment of Chair of the Local Growth Scrutiny Committee, nominations had been received for both Councillor Tom Kirkham and Councillor Deborah Watson. Councillor Tom Kirkham was appointed as Chair of the Local Growth Scrutiny Committee.

A vote was held on the appointment of Chair of the Finance and Corporate Overview Scrutiny Committee, nominations had been received for both Councillor Lucy King and Councillor Justin Gilbody. Councillor Lucy King was appointed as Chair of the Finance and Corporate Overview Scrutiny Committee.

There had been only one nomination submitted for the other positions being considered. Any bodies not referred to would appoint the Chair at the first meeting.

**RESOLVED** that the following be appointed Chairs and Vice Chairs for the 2023/24 Municipal Year:

Audit Committee

Chair – Councillor Tom Munro

Vice Chair – Independent Appointed Person

Climate Change and Communities Scrutiny Committee

Chair – Councillor Catherine Tite

Vice Chair – Councillor Ashley Taylor

Customer Services Scrutiny Committee

Chair – Councillor Donna Hales

Vice Chair – Councillor Rita Turner

Local Growth Scrutiny Committee

Chair – Councillor Tom Kirkham

Vice Chair – Councillor Phil Smith

Finance and Corporate Overview Scrutiny Committee

Chair – Councillor Lucy King

Vice Chair – Councillor Jen Wilson

## **COUNCIL**

### Licensing Committee(s)

Chair – Councillor Emma Stevenson

Vice Chair – Councillor Amanda Davis

### Planning Committee

Chair – Councillor Tom Munro

Vice Chair – Councillor Chris Kane

### Standards Committee

Chair – Mrs Ruth Jaffray

Vice Chair – Councillor Clive Moesby

### Local Plan Implementation Working Group

Chair – Councillor Tom Munro

Vice Chair – Councillor Chris Kane

## **CL11-23/24      APPOINTMENTS TO OUTSIDE BODIES 2023/24 (COUNCIL FUNCTIONS)**

Council considered a report in relation to the list of Outside Body (Council functions) appointments for 2023/24.

No nominations had been received so it was proposed that the Monitoring Officer be given delegated authority to make the appointments and any appointments made would be reported back to a future meeting.

The term of office for each appointment would run until the date of the next Annual Council meeting in 2024, unless otherwise specified.

Moved by Councillor Duncan McGregor and seconded by Councillor John Ritchie

**RESOLVED** that authority be delegated to the Monitoring Officer to make the appointments to Outside Bodies (Council functions) for 2023/24.

(Monitoring Officer/Governance & Civic Manager)

## **CL12-23/24      REVIEW OF THE COUNCIL'S CONSTITUTION**

The Solicitor to the Council and Monitoring Officer presented a report proposing 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 an up-to-date Constitution which explained how the Council operated, how decisions were to be made and the procedures which were to be followed to ensure that these were efficient, transparent and accountable to local people.

One of the functions of the Standards Committee was to undertake an annual review of the Council's Constitution to ensure it was up-to-date and in line with legislation and

## COUNCIL

current circumstances.

The Standards Committee had reviewed parts of the Constitution at its meeting on 20<sup>th</sup> February 2023. The areas reviewed included:

- Changes to the establishment – separating the Audit Committee from Scrutiny (the detail of this was dealt with separately in the Establishment of Committees and Advisory Groups 2023/24 (Minute No. CL8-23/24)
- Scrutiny Procedure Rules
- Call-In
- Budget and Policy Framework

An amended version of the Scrutiny Procedure Rules (with specific amendments highlighted) was attached to the report at Appendix 1. An amended version of the Call-In Procedure Rules was attached to the report at Appendix 2. A revised Budget and Policy Framework was attached to the report at Appendix 3.

Moved by Councillor Duncan McGregor and seconded by Councillor Chris Kane

**RESOLVED** that the amendments to the Constitution, as set out in Appendices 1, 2 and 3 to the report, be approved.

(Monitoring Officer/Governance & Civic Manager)

### **CL13-23/24      SCHEME OF DELEGATION FOR OFFICERS**

The Solicitor to the Council & Monitoring Officer presented a report proposing to approve 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 outlines the specific delegation of Council and Executive Functions to officers. The scheme includes general powers delegated to all senior managers together with specific powers delegated to the:

- Chief Executive Officer
- Service Director Finance and Section 151 Officer
- Service Director Corporate and Legal Services and Monitoring Officer

The scheme also outlined the Proper Officer Provisions.

The Scheme of Delegation for Officers was attached to the report at Appendix 1.

Moved by Councillor Duncan McGregor and seconded by Councillor John Ritchie

**RESOLVED** that the Scheme of Delegation for Officers, as set out in Appendix 1 to the report, be approved.

### **CL14-23/24      OPERATION OF URGENCY RULES AND THRESHOLDS FOR KEY DECISIONS**

Council considered a report which advised Members of any Key Decisions taken under



## **COUNCIL**

statutory Urgency Rules in the previous 12 months, any decision taken under Urgency Rules with the Council's Scrutiny Rules (this was 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.

One Key Decision had been taken using Special Urgency rules in the previous 12 months. Due to the urgency of the decision it had to be implemented immediately and that had not allowed for the call-in period to run as usual. A copy of the decision taken had been attached to the report at Appendix 1.

The report recommended that the Key Decision thresholds remained the same, which were:

- Revenue Income, Savings or Expenditure - £75,000
- Capital Income of Expenditure - £150,000

Moved by Councillor Duncan McGregor and seconded by Councillor Chris Kane

**RESOLVED** that (1) the decision that had been taken over the past 12 months under Special Urgency Rules, be noted.

(2) the decision that had been taken over the past 12 months under Urgency Provisions in the Council's Scrutiny Rules, be noted.

(3) the financial thresholds for Key Decisions be maintained at £75,000 (Revenue) and £150,000 (Capital).

(Monitoring Officer/Governance & Civic Manager)

## **CL15-23/24      CHAIRMAN'S CLOSING REMARKS**

The Chair thanked Members for their contributions to the meeting and agreed to move straight into the scheduled ordinary meeting of Council.

The meeting concluded at 10:50 hours.