

COUNCIL

Minutes of a meeting of Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday 22nd May 2024 at 10:00 hours.

PRESENT:-

Members:-

Councillors David Bennett, Anne Clarke, Rowan Clarke, Amanda Davis, Mary Dooley, Louise Fox, Steve Fritchley, Justin Gilbody, Duncan Haywood, Rob Hiney-Saunders, Cathy Jeffery, Lucy King, Tom Kirkham, Duncan McGregor, Clive Moesby, Tom Munro, Sandra Peake, Lisa Powell, Jeanne Rospin, John Ritchie, Phil Smith, Emma Stevenson, Janet Tait, Ashley Taylor, Catherine Tite, Rita Turner, Vicky Waplington, Deborah Watson, Jen Wilson, Carol Wood and Jane Yates.

Officers:- Karen Hanson (Chief Executive), Steve Brunt (Strategic Director of Services), Theresa Fletcher (Service Director Finance & Section 151 Officer), Jim Fieldsend (Service Director Governance and Legal Services & Monitoring Officer), Pam Brown (Service Director Executive, Corporate Services and Partnerships), Sarah Kay (Assistant Director of Planning and Planning Policy), Louise Arnold (Legal Team Manager and Deputy Monitoring Officer), Thomas Dunne-Wragg (Scrutiny Officer), Matthew Kerry (Governance and Civic Officer) and Amy Bryan (Governance and Civic Manager).

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

CL1-24/25 ELECTION OF CHAIR OF THE COUNCIL

The Chief Executive sought nominations for the position of Chair of the Council for the 2024/25 Municipal Year.

Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor
RESOLVED that Councillor Tom Munro be appointed as Chair of the Council for the 2024/25 Municipal Year.

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

Councillor Tom Munro thanked Members for nominating him and he undertook to be fair and even handed in the role.

CL2-24/25 APPOINTMENT OF VICE CHAIR OF THE COUNCIL

Moved by Councillor Duncan McGregor and seconded by Councillor Tom Munro
RESOLVED that Councillor Rita Turner be appointed Vice Chair of the Council for the 2024/25 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.

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CL3-24/25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Will Fletcher, Donna Hales, Chris Kane and Sally Renshaw.

CL4-24/25 DECLARATIONS OF INTEREST

There were no declarations made at the meeting.

CL5-24/25 CHAIR'S ANNOUNCEMENTS

The Chair was delighted to announce that he had raised £3,500 over the past year for his chosen charity, the Royal British Legion. Unfortunately, no representative from the charity had been able to attend the meeting so the cheque presentation would be rearranged.

CL6-24/25 MINUTES

Moved by Councillor Duncan McGregor and seconded by Councillor Rita Turner
RESOLVED that the Minutes of the Council meeting held on 6th March 2024 be approved as a correct record.

CL7-24/25 APPOINTMENT OF THE DEPUTY LEADER AND MEMBERS OF THE EXECUTIVE

Councillor Steve Fritchley, Leader of the Council, stated that the Members of the Executive would be:

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

The Members of the Junior Executive would be:

Councillor Phil Smith	Growth
Councillor Janet Tait	Housing
Councillor Jane Yates	Health and Wellbeing
Councillor Duncan Haywood	Resources
Councillor Jeanne Raspin	Environment

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CL8-24/25 ESTABLISHMENT OF COMMITTEES AND PROPORTIONALITY 2024/25

Council considered a report in relation to the establishment of the Council's committees and proportionality for the 2024/25 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 of each committee were set out in Appendix 1 to the report. There were no changes proposed to the current established structure and the terms of reference for each committee would remain as currently set out in the Council's Constitution. 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 1989 as far as was reasonably practicable.

Moved by Councillor Duncan McGregor and seconded by Councillor David Bennett

RESOLVED that (1) the Council's committees, their terms of reference and the size, as set out in Appendix 1 be established for the 2024/25 Municipal Year in accordance with Council Procedure Rule 1.1(k);

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

(3) 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 2024/25 Municipal Year.

(Monitoring Officer/Governance & Civic Manager)

CL9-24/25 APPOINTMENTS TO COMMITTEES AND ADVISORY GROUPS

Council considered a report in relation to nominations for Members to serve on committees and advisory groups for the 2024/25 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.

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Moved by Councillor Duncan McGregor and seconded by Councillor Catherine Tite
RESOLVED that 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, Sally Renshaw, Janet Tait and Jane Yates

Local Growth Scrutiny Committee

Councillors Will Fletcher, Duncan Haywood, Tom Kirkham, Tom Munro, Jeanne Raspin, Ross Walker, Jen Wilson

Customer Services Scrutiny Committee

Councillors Amanda Davis, Louise Fox, Donna Hales, Lisa Powell, Phil Smith, Rita Turner, Victoria Waplington, Deborah Watson

Climate Change and Communities Scrutiny Committee

Councillors Rob Hiney-Saunders, Mark Hinman, Cathy Jeffery, Emma Stevenson, Ashley Taylor, Catherine Tite, Carol Wood

Employee Appeals Committee

Councillors Steve Fritchley, Duncan McGregor, Rita Turner
Deputies – Councillors Jane Yates, Rowan Clarke, Janet Tait

Employment and Personnel Committee

Councillor Mary Dooley, Duncan McGregor, Tom Munro, Sandra Peake, Deborah Watson

General Licensing Committee

Councillors David Bennett, Anne Clarke, Amanda Davis, Mary Dooley, Will Fletcher, Lisa Powell, Jeanne Raspin, Emma Stevenson, Ashley Taylor, Rita Turner

Licensing and Gambling Acts Committee

Councillors David Bennett, Anne Clarke, Amanda Davis, Mary Dooley, Will Fletcher, Lisa Powell, Jeanne Raspin, Emma Stevenson, Ashley Taylor, Rita Turner

Planning Committee

Councillors Rob Hiney-Saunders, Chris Kane, Duncan McGregor, Tom Munro, John Ritchie, Phil Smith, Janet Tait, Deborah Watson, Jen Wilson, Carol Wood

Safety Committee

Councillors Amanda Davis, Justin Gilbody, Tom Munro, Jeanne Raspin, Jane Yates

Audit Committee

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

Standards Committee

Councillors Anne Clarke, Louise Fox, Justin Gilbody, Duncan Haywood, Tom Kirkham, Jane Yates (and 1 co-opted member)

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Union/Employee Consultation Committee

Councillors Rowan Clarke, Mary Dooley, Duncan Haywood, Sandra Peake, Ross Walker, Vicky Waplington

Joint Committees

ICT Share Services Committee

Councillors David Bennett, Steve Fritchley and Clive Moesby

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, Janet Tait, Catherine Tite

Local Plan Implementation Advisory Group

Councillors Rob Hiney-Saunders, Chris Kane, Duncan McGregor, Tom Munro, John Ritchie, Phil Smith, Janet Tait, Deborah Watson, Jen Wilson, Carol Wood

Member Development Working Group

Councillors Rowan Clarke, Mary Dooley, Louise Fox, Justin Gilbody, Cathy Jeffery, Sandra Peake, Jen Wilson

Tenant Participation Review and Development Group

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

(Monitoring Officer/Governance & Civic Manager)

CL10-24/25 NOMINATIONS OF CHAIRS AND VICE CHAIRS OF COMMITTEES

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

Councillor Deborah Watson stated that as one of the longest standing Councillors, she was disappointed that once again the Chairs and Vice Chairs had already been selected by the administration in advance of the meeting.

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

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

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RESOLVED that the following be appointed Chairs and Vice Chairs for the 2024/25 Municipal Year:

Audit Committee

Chair – Councillor Tom Munro

Vice Chair – Ruth Jaffray (Independent Appointed Person)

Climate Change and Communities Scrutiny Committee

Chair – Councillor Rob Hiney-Saunders

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 Munro

Vice Chair – Councillor Jen Wilson

Finance and Corporate Overview Scrutiny Committee

Chair – Councillor David Bennett

Vice Chair – Councillor Sally Renshaw

Licensing Committee(s)

Chair – Councillor Emma Stevenson

Vice Chair – Councillor Amanda Davis

Planning Committee

Chair – Councillor Tom Munro

Vice Chair – Councillor Chris Kane

Employment and Personnel Committee

Chair – Councillor Duncan McGregor

Vice Chair – Councillor Deborah Watson

Standards Committee

Chair – Ruth Jaffray (Independent Appointed Person)

Vice Chair – Councillor Jane Yates

Local Plan Implementation Working Group

Chair – Councillor Tom Munro

Vice Chair – Councillor Chris Kane

(Monitoring Officer/Governance & Civic Manager)

CL11-24/25 APPOINTMENTS TO OUTSIDE BODIES

Council considered a report in relation to the list of Outside Bodies (Council functions) appointments for 2024/25.

No nominations had been received so it was proposed that the Monitoring Officer be

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given delegated authority to make the appointments.

The term of office for each appointment would run until the date of the next Annual Council meeting in 2025, unless otherwise specified.

Moved by Councillor Tom Munro and seconded by Councillor Duncan McGregor

RESOLVED that authority be delegated to the Monitoring Officer to make the appointments to Outside Bodies (Council functions).

(Monitoring Officer/Governance & Civic Manager)

CL12-24/25 SCHEME OF DELEGATION

The Director of Governance and Legal Services & 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.

There was one proposed change which had been considered by Standards Committee on 15th April 2024. The change was to enable the Strategic Director of Services to purchase vehicles above the Key Decision threshold. The report explained that the Council sets the budget for capital spend, including an amount for replacement vehicles. The purchase of individual vehicles was then approved by either officers under delegated powers or Executive if the value of the vehicles to be purchased exceeded the Key Decision threshold for capital spend, i.e. £150,000. It was therefore proposed that the Officer Delegation Scheme be amended to enable the Strategic Director of Services to agree to the purchase of all vehicles. This power would only be used where the Council's Contract Procedure Rules had been complied with.

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

Moved by Councillor Duncan McGregor and seconded by Councillor David Bennett

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

(Monitoring Officer/Governance & Civic Manager)

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CL13-24/25 OPERATION OF URGENCY RULES AND THRESHOLDS FOR KEY DECISIONS

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

The report set out that one Key Decision had been taken using Special Urgency rules in the previous 12 months. This had been a decision in respect of a Public Space Protection Order.

The report stated that all Key Decisions were subject to the Council's call-in provisions which were set out in the Scrutiny Rules. Call-in provisions may be waived only where a decision was urgent. A decision was urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interests. The Chair of the relevant Scrutiny Committee (or, in their absence the Chair of Council or Vice Chair of Council) must agree both that the decision proposed was reasonable in all the circumstances and to it being treated as a matter of urgency. Decisions taken as a matter of urgency were required to be reported to Council. In the past 12 months, five decisions had been taken using urgency provisions to waive call-in. These decisions had been:

Lease in respect of Property at Former Construction Block, The Arc (Decision by the Chief Executive on 17th July 2023)

Dog Management Public Space Protection Order (Decision by the Chief Executive on 25th October 2023)

Renewal of Insurance Policies (Decision by the Director of Finance & Section 151 Officer on 29th September 2023)

Appointment of Contractor to Deliver Hyper-Local New Zero Innovation Programme (Executive – 6th November 2023)

Award of three-year Idox Software Maintenance Contract (Executive – 15th April 2024)

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 Tom Munro

RESOLVED that (1) the decisions 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.

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

(Monitoring Officer/Governance & Civic Manager)

CL14-24/25 STANDARDS COMMITTEE ANNUAL REPORT 2023/24

Council considered the Annual Report of the Standards Committee 2023/24, presented by Mrs Ruth Jaffray, Chair of Standards Committee.

The report highlighted the work undertaken by the Standards Committee during 2023/24 and included updating the Councillor Complaint Procedure, establishing a Sub-Committee to deal with Member complaints, reviewing the Council's Constitution, policy review work, review gifts and hospitality and attendance at Member training, as well as trying to increase the public awareness of role of Standards Committee and Councillor conduct.

Councillor Clive Moesby thanked Ruth Jaffray for presenting the report and for all the work undertaken in the role of Chair of the Standards Committee.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor
RESOLVED that the Standards Committee Annual Report be noted.

CL15-24/25 CHAIR'S CLOSING REMARKS

The Chair reported that this chosen charity for 2024/25 would be the Chesterfield Royal Hospital Trust Charity.

The meeting concluded at 10:48 hours.