

## **COUNCIL**

Minutes of a meeting of the Council of Bolsover District Council held as a Virtual Meeting on Wednesday, 3<sup>rd</sup> March 2021 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillor Tom Munro in the Chair

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

Officers: - Lee Hickin (Director of Corporate Resources and Head of Paid Service), Karen Hanson (Director of Environment and Enforcement), Theresa Fletcher (Section 151 Officer), Sarah Sternberg (Solicitor to the Council & Monitoring Officer), Grant Galloway (Director of Development), Pam Brown (Head of Leader's Executive and Partnerships), Victoria Dawson (Head of Housing Management and Enforcement), Sara Gordon (Human Resources and Organisational Development Manager), Nicola Calver (Governance Manager), Amy Bryan (Senior Governance Officer) and Tom Scott (Governance Officer).

### **CL766-20/21      APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Jane Bryson, Janet Tait and Ross Walker.

### **CL767-20/21      DECLARATIONS OF INTEREST**

The Chair explained that declarations of interest would not be gathered at this stage for Agenda Item 8 (Level of Council Tax 2021/22) because advice from the Monitoring Officer would be sought at the beginning of the item.

For all items apart from Agenda Item 8, Members did not declare any interests.

### **CL768-20/21      CHAIR'S ANNOUNCEMENTS**

The Chair reminded Members that his charitable group for the current municipal year was SSAFA Bolsover (Soldiers, Sailors, Airmen and Families Association), and he was pleased to announce that despite not being able to fundraise as normal, he had raised £500 for the charity's vital support of ex-servicemen.

The Chair also reminded Members that the Council would be launching the Bolsover District Community Lottery Scheme in May 2021, which would mean local groups that signed up to the scheme would receive a regular source of income. He added that more information about the scheme was available on the Council's website.

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The Chair informed Members that there would be a two week delay in collection of garden waste bins because of a change of contract for the service.

### **CL769-20/21      MINUTES**

Councillor Tricia Clough requested that an amendment be made to the minutes of the Council meeting on 3<sup>rd</sup> February 2021 under Minute No. CL760-20/21 titled 'MOTIONS' (Motion b. from Councillor Nick Clarke) so the paragraph beginning "Councillor Tricia Clough stated she would support the motion and read correspondence received from residents about how hounds from the Barlow Hunt trail hunt had gone through their gardens in Scarcliffe" ends at this point.

Subject to this one amendment, the minutes were moved by Councillor Tricia Clough and seconded by Councillor Steve Fritchley (Leader of the Council).

**RESOLVED** that the minutes of a meeting of Council held on 3<sup>rd</sup> February 2021 be approved (as amended) as a true and correct record.

### **CL770-20/21      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.

The Chair indicated that no questions had been submitted.

### **CL771-20/21      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, the Chairman of a specific Committee or a relevant Portfolio Holder.

The Chair indicated that no questions had been submitted.

### **CL772-20/21      MOTIONS**

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

The Chair noted that no motions had been submitted.

### **CL773-20/21      LEVEL OF COUNCIL TAX 2021/22**

The Monitoring Officer gave assurance that each Member of Council (if declaring an interest as residents of the District, as Parish Councillors or County Councillors) had an automatic dispensation to remain in the meeting and speak and vote on the item. The Chair asked Members to indicate if they had an interest to declare in this particular fashion, and all Members indicated that they did.

The Monitoring Officer reminded Members that votes on budget and Council Tax setting items would be done via recorded vote as set out by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

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Members were also reminded by the Monitoring Officer that 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 applies to them. A failure to comply with these requirements was a criminal offence under Section 106 of the Local Government Finance Act 1992.

Councillor Clive Moesby (Portfolio Holder - Finance and Community Safety) presented a report to Members recommending the approval of the Levels of Council Tax for the 2021/2022 financial year. The report recommended that demand on the Collection Fund for this Council should be £4,103,006, and because the Council had now received all of the Parish Precept demands which totalled £3,294,344, together meant the total demand on the Collection Fund in 2021/22 would be £7,397,350.

He explained that in order to calculate the Council Tax requirement for Bolsover District Council at the relevant bands, the demand of Derbyshire County Council, the Police Authority, the Fire Authority and local Parish Councils had been taken into account in the report.

Councillor Clive Moesby moved the recommendations in the report (6.1 to 6.2) to approve Council Tax for 2021/2022 as set out in the report, and to allow the officers in paragraph 1.6 to undertake the identified duties in accordance with section 223 of the Local Government Act 1972, and delegate to the Council's Chief Financial Officer the authority to authorise any amendments to the list of named officers that may prove necessary during the course of the financial year. This was seconded by Councillor Steve Fritchley (Leader of the Council).

For the motion – 30

*(Councillors Derek Adams, Rose Bowler, Dexter Bullock, Tracey Cannon, Anne Clarke, Nick Clarke, Jim Clifton, Tricia Clough, Paul Cooper, David Dixon, Maxine Dixon, Mary Dooley, David Downes, Steve Fritchley, 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, Rita Turner, Deborah Watson and Jen Wilson.)*

Against the motion – 1

*(Councillor Allan Bailey.)*

Abstentions – 0

On being put to a recorded vote it was **RESOLVED** that:

(i) Council formally approves the Council Tax for the Financial Year 2021/22 as set out in this report.

(ii) Council authorises the officers as set out in section 1.6 above to undertake the identified duties in accordance with section 223 of the Local Government Act 1972, and delegates to the Council's Chief Financial Officer the authority to authorise any amendments to the list of named officers that may prove necessary during the course of the financial year.

(Section 151 Officer)

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### CL774-20/21      REVIEW OF THE CONSTITUTION

Councillor Duncan McGregor (Deputy Leader of the Council and Portfolio Holder – Corporate Governance) presented a report to Members proposing amendments to the Constitution as set out in Appendices 1 and 2. The Standards Committee and the Constitution Working Group considered and supported the amendments proposed in the review of the Constitution at its meetings held during the 2019/20 Municipal Year.

The report also recommended that delegated power be given to the Monitoring Officer to make changes to the Constitution arising from any new legislation, administrative errors or conflicts in interpretation and this be incorporated in to the Delegation Scheme

Councillor Peter Roberts referred to the 'Standards Committee Terms of Reference' section of Appendix 1 and expressed concerns that the bullet point "reviewing Member attendance at Committee Meetings on behalf of the Authority" could unfairly highlight Members who had legitimate reasons for not attending meetings, such as having a full-time job.

The Monitoring Officer assured Councillor Peter Roberts that this was simply a part of the Council's checks and balances to monitor Member attendance.

The Deputy Leader of the Council responded by stating that Members had an obligation to make themselves fully accountable to the public, which included their attendance statistics for meetings. He added his belief that the transition to virtual attendance at meetings should make attending them easier.

Councillor Tracey Cannon felt that virtual attendance did not necessarily make attendance easier, because the reason for virtual meetings in the first place (COVID-19 pandemic) had vastly increased the pressures at home for all Members.

Councillor Natalie Hoy believed that monitoring attendance was necessary to make Members fully accountable to the public.

Councillor David Downes stated that Members knew that they would need to find time for meetings when they signed up to become Members, and he felt balancing a job and being a Councillor was not an excuse to miss meetings.

The two recommendations in the report to approve the amendments (Appendices 1 and 2) and delegate powers to the Monitoring Officer to make changes to the Constitution were moved by Councillor Duncan McGregor and seconded by Councillor Steve Fritchley (Leader of the Council).

**RESOLVED** that:

- (i) The amendments to the Constitution detailed in Appendix 1 and set out in Appendix 2 be approved; and
- (ii) That delegated power be given to the Monitoring Officer to make changes to the Constitution arising from any new legislation, administrative errors or conflicts in interpretation and this be incorporated in to the Delegation Scheme.

(Monitoring Officer / Governance Manager)

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### **CL775-20/21          PAY POLICY STATEMENT**

Councillor Duncan McGregor (Deputy Leader of the Council and Portfolio Holder – Corporate Governance) presented a report to Members proposing the Annual Pay Policy Statement for 2021/22. He noted that the pay policy statement set out the Council's policy on pay for senior managers and employees and was in accordance with the requirements of Section 38 of the Localism Act 2011 and Supplementary Guidance 2013, and agreement to the Annual Pay Policy Statement fulfilled both legal and best practice guidance for employers. It also reflected decisions previously approved at Council.

The recommendation in the report to approve the Annual Pay Policy Statement 2021/22 was moved by Councillor Duncan McGregor and seconded by Councillor Steve Fritchley (Leader of the Council).

**RESOLVED** that Council supports the Annual Pay Policy Statement 2021/22.

(Human Resources & Organisational Development Manager/Payroll Manager)

### **CL776-20/21          CALENDAR OF MEETINGS 2021 – 2022**

The Chair presented a report to Members proposing the Calendar of Meetings for 2021-2022. He noted that the draft Calendar had been circulated to all Members as part of a supplementary agenda.

The Chair asked why some dates in the Calendar included Member Development Sessions for the morning and afternoon on the same days. The Governance Manager explained that those days included Member Development induction refresher sessions as part of the mid-term induction programme, so Members would have the option on those days to attend either the morning or afternoon session.

The recommendations in the report to approve the Calendar of Meetings 2021/22 and delegate authority to the Governance Manager to amend the Calendar of Meetings was moved by Councillor Duncan McGregor and seconded by Councillor Ray Heffer.

**RESOLVED** that:

- (i) The 2021/22 calendar of meetings, attached at Appendix 1, be approved and the points outlined in paragraph 2.4 and 2.5 be noted; and
- (ii) Delegated authority be granted to the Governance Manager following consultation the Chairmen of the relevant Committee(s)/Working Group(s) to amend the Calendar of Meetings 2021/22 as and when required in accordance with the regulations of the Coronavirus Act 20 or any subsequent legislation that is applicable.

(Monitoring Officer/Governance Manager)

### **CL777-20/21          CHAIRMAN'S CLOSING REMARKS**

The Chair had no closing remarks.  
The meeting concluded at 10:41 hours.