

## **COUNCIL**

Minutes of a meeting of the Council of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday, 15th January 2020 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillor Tom Munro in the Chair

Councillors Rita Turner (Vice-Chair), Derek Adams, Allan Bailey, Rose Bowler, Tracey Cannon, Anne Clarke, Nick Clarke, Jim Clifton, Tricia Clough, Pat Cooper, 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, Dan Salt, Liz Smyth, Janet Tait, Ross Walker, Deborah Watson, James Watson and Jen Wilson.

Officers:- Dan Swaine (Joint Chief Executive Officer), Karen Hanson (Joint Strategic Director - Place), Lee Hickin (Joint Strategic Director - People), Sarah Sternberg (Joint Head of Corporate Governance & Monitoring Officer) and Theresa Fletcher (Head of Finance and Resources & Section 151 Officer), Nicola Claver (Governance Manager) and Thomas Scott (Temporary Governance Officer).

### **547           DECLARATIONS OF INTEREST**

There were no declarations made at the meeting.

### **548           APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Jane Bryson.

### **549           CHAIR'S ANNOUNCEMENTS**

The Chair of the Council gave a brief overview to Members on the Mod.gov app, encouraging all Members to book in with the Members IT and Training Officer to complete installation and undertake training. The Chair of the Council advised that he had been trialling the application and he had found it an incredibly useful tool for accessing paperwork for Committees negating the need for paper copies.

A training needs survey had been circulated to Members of Council and it was requested that once completed it was returned to the Governance Department.

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### 550 MINUTES

It was noted that Councillor Allan Bailey was incorrectly named in the Minutes of the meeting held on the 13<sup>th</sup> November 2019 and it was agreed for this to be amended.

Moved by Councillor Andrew Joesbury and seconded by Councillor Clive Moesby **RESOLVED** that, subject to the amendment detailed in the meeting, the minutes of the meeting of Council held on 13<sup>th</sup> November 2019 be approved as a true and correct record and be duly signed by the Chair.

### 551 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.

### 552 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, Chairman of a specific Committee or a relevant Portfolio Holder.

One question had been submitted by Members of Council under Council Procedure Rule 9.

a) Question submitted by Councillor Peter Roberts to Councillor Steve Fritchley, Leader of the Council:

*Point 1*

*We are proposing to use environmental budget money to provide parking spaces for a housing project when we could simply add it to the cost of the project and get it back through the rent. It is a subsidy to the builder when the money should be for the wider community*

*Point 2*

*We are proposing to charge £1637 each to resurface a road for 8 private tenants other residents are council tenants so no additional charge to them They do not know the terms of payment, They have not been informed about the specification of work to be done and whether it is good value They are having to pay when they already pay council tax and it's BDC land*

*Is it right to not charge new tenants point 1 while at the same time charging existing ones point 2 and are we happy as a council conduct ourselves as indicated above.*

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The Leader of the Council thanked Councillor Peter Roberts for his question, and addressed his first point by explaining how the “Environment budget” Councillor Peter Roberts referred to was an Environmental Scheme fund within the HRA (Housing Revenue Account). He clarified that the fund was worth £50,000 and Members could bid to use it annually, and car parking space schemes was one of the areas it could be spent on. He also clarified that the parking scheme mentioned by Councillor Peter Roberts was for the housing development on Mill Lane in Bolsover.

The Leader of the Council stated that in this particular case, there were two procurement contractors with different types of work, so one could build new houses and one could operate a Civil Engineering Graduate Scheme. He added that both had different budget codes but both were within the Environmental Scheme fund and the HRA. This was how the parking scheme was funded for the Mill Lane parking scheme.

Councillor Peter Roberts was informed by the Leader of the Council that with all of this in mind, the Mill Lane parking scheme had to be funded from the Environmental Scheme fund and HRA, rather than his suggestion to add it to the cost of the project and get it back through the rent.

The Leader of the Council addressed the second point by explaining how the road Councillor Peter Roberts referred to was Jubilee Place in Whitwell, and the Council was responsible for the road’s maintenance. He explained that the Council picking up the road resurface cost through the Housing Revenue Account would be illegal, because the houses on the road belonged to private residents. He added that after the Council charged the residents on the road, the Council would find a contractor to carry out the resurfacing work as part of a transparent and competitive procurement process.

The Leader of the Council believed that although he sympathised with the tenants on Jubilee Place, it would be unfair to use Council money provided (in part) by Council tenants to repair roads for private tenants, and charging the private tenants for road repairs directly was much more fair.

The Leader of the Council requested that because there had been some confusion between different budget types, officers should clarify the differences for Members between the General Fund and HRA via Scrutiny Committees.

### **SUPPLEMENTARY QUESTION**

Councillor Peter Roberts exercised his right to ask a supplementary question of the Leader of the Council, and asked if anything could be done to mitigate the costs that residents of the road would have to pay.

The Leader of the Council responded by stating that he felt sorry for the tenants who would have to fund the road, but the only thing the Council could do to mitigate this would be for Council Directors to look after the residents as much as possible.

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### 553 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:

*At the conception of a building or infrastructure project to be carried out by BDC, could the ward councillors who know their residents and ward best, be informed first. This would enable us to guide the planning process by asking who, what, why and when, so as to avoid some of the difficulties as experienced in Whitwell.*

Councillor Ross Walker duly seconded the motion and reserved his right to speak.

The Leader of the Council agreed with the sentiment of the motion. He added he would personally encourage all Members to get involved in the Planning Application process. Councillor D McGregor endorsed this, believing that Members were elected to represent their wards and it was their responsibility to be involved in Planning issues.

### AMENDMENT

In accordance with Council Procedure Rule 12.6, Councillor Tom Munro moved an amendment to the motion's second paragraph for it to instead read:

"This would enable us to ask how, what, why and when in Whitwell."

The amendment was duly seconded by Councillor Ross Walker.

Councillor Peter Roberts, who moved the original motion, consented to the amendment to the motion, which therefore became the substantive motion.

On being put to the vote, the substantive motion was carried.

Moved by Councillor Peter Roberts and seconded by Councillor Ross Walker  
**RESOLVED** that at the conception of a building or infrastructure project to be carried out by BDC, the ward councillors who know their residents and ward best, be informed first. This would enable us to ask how, what, why and when in Whitwell.

(Strategic Director - Place)

### 554 REPORTS ON URGENCY DECISIONS TAKEN BY THE EXECUTIVE

When appropriate, meetings of Council can receive a report from the Executive detailing any Key Decisions taken under special urgency provisions or Key Decisions exempt from call in.

There were no urgency provisions to report to this meeting of Council.

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### **555 REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS 2019.**

Members gave consideration to a report setting out proposals to consider and approve for the provision of Polling Districts, Polling Places and Polling Stations within the Bolsover District Council area following a review undertaken in accordance with the Electoral Registration and Administration Act of 2013.

A consultation period commenced on the 7<sup>th</sup> October 2019 seeking representations from Electors, District Councillors, Members of Parliament, Parish and Town Councils, Political Parties and existing Polling Place contacts. A total of five submissions were received before the deadline of the 29<sup>th</sup> November 2019, three of the five submissions were to support the continued use of the Polling Station/Place.

Members gave consideration to the comments received as set out at 1.13 within the report and considered the final proposals setting out changes to designated Polling Places.

Councillor Ann Clarke raised some queries around the Polling stations within the Bolsover East Ward and the Chief Executive undertook to discuss this further with Councillor Clarke outside of the meeting, advising that the review of Polling Stations were semi-fluid.

Moved by Councillor Duncan McGregor and seconded by Councillor Steve Fritchley

**RESOLVED** that

- 1) the final proposal schedule setting out any changes to the designated Polling Places be approved;
- 2) the Chief Executive be requested to formally publish the notice of consultation of the review, its findings, the responses from consultees and all other relevant documentation; and
- 3) the Electoral Registration Officer incorporate any changes to the Polling Districts and Polling Places.

(Chief Executive Officer)

### **556 ANNUAL AUDIT LETTER**

The Portfolio Holder for Finance and Resources, Councillor Clive Moesby, presented his report setting out the Annual Audit Letter for 2018/19 prepared by the Councils External Auditors.

Members noted that the Annual Audit letter had been considered by the Council's Audit Committee on the 26<sup>th</sup> November 2019 and welcomed its positive contents.

The External Auditors had found that;

- there were no matters arising on management override of controls
- estimates were reasonable and materially correct
- financial estimates and statements were reasonable and materially correct.

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In their value for money conclusion, the Auditors were satisfied that in all significant respects, the Council had put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31<sup>st</sup> March 2019.

Moved by Councillor Clive Moesby and seconded by Councillor Christopher Kane

**RESOLVED** that the report from the Councils External Auditor, Mazars, in relation to the Annual Audit Letter 2018/19 be noted.

(Section 151 Officer

### **557 CHAIRMAN'S CLOSING REMARKS**

The Chair of the Council, Councillor Tom Munro, invited the Leader of the Council, Councillor Steve Fritchley to address the meeting. It was advised that a contractor had been engaged to undertake some development work at the parking area to the left of The Arc, and a start date was awaited.

The meeting concluded at 10:31 hours.