

**MINUTES OF ANNUAL COUNCIL MEETING HELD ON 19 MAY 2014**

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**NORTH EAST DERBYSHIRE DISTRICT COUNCIL**  
**MINUTES OF THE MEETING OF THE ANNUAL COUNCIL**  
**HELD ON 19 MAY 2014**

**Present:**

Councillor J Allsop

“ Mrs P Antcliff  
“ Mrs J Austen  
“ N Barker  
“ B Barnes  
“ G Baxter MBE  
“ P Blackburn  
“ G Butler  
“ A Cooper  
“ J A Dargue  
“ Mrs C F Ellis  
“ S Ellis  
“ Miss M Emmens  
“ Mrs A Foster  
“ N Foster  
“ A D Garrett  
“ M Gordon  
“ R Hall  
“ Mrs P Hemsley  
“ Mrs E A Hill  
“ Mrs J Hill  
“ Mrs A Holmes

Councillor Mrs C D Huckerby

“ C Hunt  
“ P R Kerry  
“ H Laws  
“ B Lewis  
“ W Lilleyman  
“ T J Moon  
“ D S Oxspring  
“ S Peters  
“ Mrs T Reader  
“ B Rice  
“ B Ridgway  
“ Mrs J Ridgway  
“ P J Riggott  
“ Mrs L Robinson  
“ K G Savidge  
“ Mrs C Smith  
“ L Stone  
“ M E Thacker  
“ P Widdowson  
“ Miss T Williams  
“ J Windle  
“ B Wright

Before the meeting began the Chair Councillor K Savidge advised the Council that in the previous civic year he had raised a total of £8,7010.19 for his charity appeal. The Chair praised the efforts of members as well as everyone who had given up their time and money to support the cause. The Chair then made presentations to his wife and consort, Mrs Jo Savidge, for supporting him in his year in office and to Mrs Clare Shacklady and Mrs Joe Bradley for their secretarial support throughout the year.

The Chair also thanked his Vice-Chair, Councillor Tracey Reader, for covering engagements in Council meetings that he was unable to attend and he concluded by thanking all directors and staff for the support that they had provided during his year in office.

As a token of the Council's appreciation, the Chief Executive presented the Chair with a commemorative photograph album chronicling his year in office and paid tribute to the way he had conducted himself over the past two years, both in the chair and during his fund raising campaign.

Councillor M E Thacker, Leader of the Conservative Group, placed on record his warmest congratulations to the Chair and consort for an excellent year in office.

## **1 Election of Chair of the Council**

*(Councillor K Savidge in the Chair)*

There was one nomination for the position of Chair of the Council.

Members from all sides of the Chamber rose and spoke in support of Councillor Mrs T Reader.

**RESOLVED** – That Councillor Mrs T Reader be elected Chair of the Council for the 2014/15 Municipal Year.

*Councillor Mrs Reader assumed the Chair and Chains of Office and then signed the Declaration of Acceptance of Office.*

## **2 Appointment of Vice-Chair of the Council**

Two nominations were received for the position of Vice-Chair of the Council for the 2014/15 Municipal Year.

Councillor M E Thacker expressed disappointment that the position of Vice-Chair was likely to go to a member of the Majority Group and one whom had held the position of Chair and Vice-Chair on a previous occasion. It was his belief that the position of Chair of the Council should be apolitical and this approach was reflected at a number of other local councils.

Councillor Thacker's views were supported by the Leader of the Independent Group who highlighted the apolitical nature of the Council Chair as emphasised within the Constitution and that subsequent appointments to the position from the Majority Group were not in the spirit of these provisions.

**RESOLVED** – That Councillor Mrs A Holmes be appointed Vice-Chair of the Council for the 2014/15 Municipal Year.

*Upon receiving the Vice-Chair's medallion and signing the Declaration of Acceptance of Office, Councillor Mrs Holmes took the Vice-Chair's seat.*

## **3 Apologies for Absence**

Apologies for absence had been received from Councillors Mrs A Blackburn, N C Dolby, P Elliott, J McGrory, G Morley, K Gillott, G P Ramshaw and D Skinner.

**4     Declarations of Interest**

Members were requested to declare the existence and nature of any disclosable pecuniary interest and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

No interests were declared at this meeting.

**5     Chair's Announcements**

The Chair began her announcements by commenting how truly honoured she was that the Council had chosen her to serve as Chair and looked forward to working with members on all sides of the Chamber and representing North East Derbyshire to the best of her ability.

The Chair had chosen Fairplay as her appeal charity. Fairplay was set up in 1992 to support children and young people with disabilities and additional needs and their families across North Derbyshire. The Chair had worked with vulnerable children with disabilities in her employment and had seen first-hand the difficulties and challenges that their families had to face daily. The Chair had recommended Fairplay to families and been able to see the difference that having a place to go to could make and how it supported families in times of great difficulty to enjoy what most people took for granted.

She hoped that the appeal would help to raise an increased awareness and encourage others in the District to help Fairplay to continue providing services and support that made a big difference to families.

To launch the appeal, the plants around the Council Chamber, which had been supplied by the Parks Department, were on sale after the meeting. Members were also invited to join the Chair after the meeting for some light refreshments and to collect their diaries for 2014/15.

**6     Cabinet 2014/15**

RESOLVED – That details of the Cabinet Members and their Portfolios for 2014/15, attached as **Appendix A** to these minutes, be noted.

**7     Appointment of Committees and Advisory Groups 2014/15**

RESOLVED – That the membership of Committees and Advisory Groups attached as **Appendix B** to these minutes be approved.

**8     Appointment of Chairs and Vice-Chairs of Committees**

RESOLVED – That the Chairs and Vice-Chairs of Committees, attached as **Appendix C** to these minutes, be approved.

**9 Appointment to Derbyshire Police and Crime Panel**

**RESOLVED** – That Councillor Mrs L Robinson be appointed as the Council's representative on the Derbyshire Police and Crime Panel for 2014/15.

**10 Appointments to Sheffield City Region Combined Authority**

**RESOLVED** – That:

- (1) Councillor G Baxter, MBE (with Councillor N Foster as substitute) be appointed to the Sheffield City Region Combined Authority.
- (2) Councillor G Baxter MBE (with Councillor N Foster as substitute) be appointed to the Sheffield City Region Transport Committee.
- (3) Councillor Mrs J Austen be appointed to the Sheffield City Region Scrutiny Committee.

**11 Chair's Urgent Business**

*The Chair consented to the following item of business being considered as an urgent item because to wait until the next Council meeting would not be in the interests of the appellant or the Council.*

**Establishment of Standards Sub-Committee (UPC Appeals)**

Council considered a report of the Governance Manager which sought the establishment of a five member sub-committee to decide appeals against designations of customers as unreasonably persistent complainers.

Within the Council's Unreasonably Persistent Complainer Policy, which was approved by Standards Committee in September 2012, a customer designated as an unreasonably persistent complainer had a right to an appeal to be heard by a sub-committee of the Council's Standards Committee.

The Council's Strategic Alliance Management Team had designated a customer as an Unreasonably Persistent Complainer (UPC) on 17 October 2013. At that stage the customer decided not to appeal the decision but when, on 25 April 2014, the Strategic Alliance Management Team had resolved to extend the customer's UPC status for a further 12 months, the customer appealed the decision.

This report sought to establish a sub-committee of five members to consider this and any further UPC appeals. Any future revisions to the policy may change the need for and/or remit of a sub-committee. Appended to the report were the terms of reference for the sub-committee.

**RESOLVED** – That the Council approve the establishment of a Standards Sub-Committee (UPC Appeals) with the terms of reference attached at **Appendix D.**

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COUNCIL MINS (0519) ANNUAL/JLG/MD

## NORTH EAST DERBYSHIRE DISTRICT COUNCIL

### CABINET 2014/15

#### Portfolios

#### Members

Community Safety and Health  
(including Anti-Social Behaviour and Health)

L Robinson

Building a Better Council  
(including delivering a healthier, safer, cleaner community, Agenda 21, IT, E-Information, Asset Management, HR and Training, Leisure, Planning Policy and Licensing)

G Baxter MBE  
supported by  
Councillors T Williams,  
N Barker and N Foster

Economy, Finance and Regeneration

Councillor P Kerry

Housing Strategy and Social Inclusion  
(including adaptations, affordable housing and Decent Homes; Supporting People, older people, people with disabilities, young persons and equality and diversity)

Councillor Mrs E A Hill  
supported by  
Councillor M Gordon

Environment  
(including licensing, planning policy and sustainable waste management)

Councillor N Foster

Information Technology, E-Information and Asset Management

Councillor Miss T Williams

Human Resources, Training and Member Development

Councillor N Barker

## **NORTH EAST DERBYSHIRE DISTRICT COUNCIL**

**19 MAY 2014**

### **APPOINTMENT TO COMMITTEES AND ADVISORY GROUPS**

1.1 Political Groups are requested to nominate members to serve on the following Committees and Advisory Groups with effect from 19 May 2014 for the 2014/15 Council year.

1.2 The Committees are subject to the political balance requirements of the Local Government and Housing Act 1989.

1.3 The Advisory Groups are not subject to the political balance requirements.

### **COMMITTEES**

<b>COMMITTEE</b>	<b>LABOUR GROUP</b>	<b>CONSERVATIVE GROUP</b>	<b>INDEPENDENT GROUP</b>	<b>TOTAL SEATS</b>
<b>Appointments</b>	(4) At least one member of Cabinet. The Chair of the Council. At least one member of a Scrutiny Committee.	(2) M E Thacker and S Ellis	Cllr T Moon (1)	<b>7</b>
<b>Licensing</b>	(9) Cllrs J Austen, G Butler, P Kerry, H Laws, W Lilleyman, N Foster, B Ridgway, J Windle and B Wright	(5) P Antcliff, C D Huckerby, D S Oxspring, G P Ramshaw and M E Thacker	Cllr T Moon (1)	<b>15</b>
<b>Planning</b>	(11) Cllrs J Austen, B Barnes, G Butler, N C Dolby, J Hill, A Holmes, P Hemsley, H Laws, S Peters, T Reader and C Smith  Subs: C Hunt, B Ridgway, L Stone, J Windle, B Wright	(6) P Antcliff, P Elliott, A Foster, R A Hall, C D Huckerby and D S Oxspring  Subs: F Ellis and B Lewis	Cllr T Moon  Sub: Cllr A Cooper (1)	<b>18</b>



COMMITTEE	LABOUR GROUP	CONSERVATIVE GROUP	INDEPENDENT GROUP	TOTAL SEATS
<b>Economic Regeneration, Skills &amp; Environment Scrutiny</b>	(6) Cllrs G Butler N Dolby, W Lilleyman, B Rice, P J Riggott and J Windle	(2) J Allsop and B Lewis	(1) Cllr A Cooper	9
<b>Safer Homes &amp; Neighbourhoods Scrutiny</b>	(6) Cllrs B Barnes, N C Dolby, K Gillott, J Hill , C Hunt and B Wright	(3) A Blackburn, F Ellis and M Emmens		9
<b>Healthy Communities and Well Being Scrutiny</b>	(6) Cllrs J Austen, S Peters, T Reader, B Ridgway, D Skinner and J Windle	(3) P Antcliff, C D Huckerby and D S Oxspring		9
<b>Audit and Corporate Governance Scrutiny</b>	(6) Cllrs B Barnes, J Dargue, A Garrett, P Hemsley, G Morley and C Smith	(3) S J Ellis, J D McGrory and M E Thacker		9
<b>Standards</b>	(6) Cllrs J Austen, G Baxter MBE, G Butler, S Peters, T Reader and C Smith	(3) P Blackburn, S J Ellis and M E Thacker		9 plus two parish representatives
<b>Strategic Alliance Joint Committee</b>	(6) Cllrs G Baxter MBE, G Butler, N Foster, E A Hill, P Kerry and M Gordon	(3) J Allsop, S J Ellis and M E Thacker		9 from NEDDC and 9 from Bolsover
<b>Strategic Alliance Review Committee</b>	(4) Cllrs J Austen, G Morley, T Reader and B Ridgway	(2) P H Blackburn and P Widdowson		6

## **ADVISORY GROUPS**

<b>COMMITTEE</b>	<b>LABOUR GROUP</b>	<b>CONSERVATIVE GROUP</b>	<b>INDEPENDENT GROUP</b>	<b>TOTAL SEATS</b>
<b>Council Joint Consultative Group (plus named substitutes)</b>	<sup>(3)</sup> The Leader, Deputy Leader and relevant Portfolio Member			<b>3 plus 6 representatives of employees and officers</b>
<b>Disabled People's Consultative Group (plus named substitutes)</b>	<sup>(5)</sup> Cllrs J A Dargue, E A Hill, C A Smith, D Skinner and P Williams  (Subs – Cllrs L Robinson and G Butler)	<sup>(2)</sup> A Blackburn and R A Hall  (Sub: M Emmens)		<b>7 plus representatives from Disabled People's Organisations</b>
<b>Member Development Working Group</b>	<sup>(5)</sup> Cllrs J Austen, N Barker, G Baxter MBE, M Gordon and J Windle	<sup>(1)</sup> No nomination	<sup>(1)</sup> Cllr T J Moon	<b>7 members</b>
<b>Local Plan Steering Group</b>	<sup>(6)</sup> Vice Chair of Planning Committee, Cllrs N Barker, N Foster, M Gordon, T Williams and J Windle	<sup>(1)</sup> D S Oxspring	<sup>(1)</sup> Cllr T J Moon	<b>8 plus officers</b>
<b>Site Inspection Group (plus named substitutes)</b>	<sup>(2)</sup> Chair & Vice-Chair of Planning Committee  (Subs – Cllr G Butler and J Windle)	<sup>(1)</sup> D S Oxspring		<b>3 plus local Members and appropriate Officers</b>
<b>Urban Design Best Practice Group</b>	<sup>(4)</sup> The Leader, Deputy Leader and Portfolio Holders for Economy and Environment	<sup>(1)</sup> J Allsop		<b>5 plus officers</b>

# APPENDIX C

## NOMINATIONS FOR CHAIRS AND VICE-CHAIRS OF COMMITTEES

### **Committee**

#### Licensing Committee

Chair	N Foster
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#### Planning

Chair	H Laws
Vice Chair	B Barnes

#### Economic Regeneration, Skills & Environment Scrutiny Committee

Chair	J Windle
Vice Chair	W Lilleyman

#### Safer Homes & Neighbourhoods Scrutiny Committee

Chair	B Wright
Vice Chair	N C Dolby

#### Healthy Communities & Well Being Scrutiny Committee

Chair	T Reader
Vice Chair	D Skinner

#### Audit & Corporate Governance Scrutiny Committee

Chair	G Morley
Vice Chair	C Smith

#### Standards Committee

Chair	J Austen
Vice Chair	G Butler

### **Note:**

- The Chairs of the Appointments Committee and Licensing Sub-Committees will be appointed at each individual meeting of these bodies.
- The Vice-Chair of Licensing Committee will be appointed in the absence of the Chair for a specific meeting.

# APPENDIX D

## Purpose

To consider appeals in relation to decisions by the Strategic Alliance Management Team to designate customers as unreasonably persistent complainers.

## Membership

The Sub-Committee will be made up of five members, politically balanced. The Panel will be advised by the Monitoring Officer or her representative.

## Process

1. The Sub-Committee will usually consider cases by way of written representations unless the appellant or Council requests otherwise.
2. Statements of case from the appellant and case officer will be exchanged ten clear working days before the meeting. Further submissions, including responses to the other side's statement of case, may be made so long as they are received up to three clear days before the meeting.
3. An agenda for the Sub-Committee will be despatched to both parties and members five clear days in advance of the meeting.
4. Cases will usually be considered in private under Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.
5. The Chair will be appointed from amongst the members of the Sub-Committee.
6. The Sub-Committee will decide whether or not to accept any late submissions.
7. The appellant's case will be presented first and, if present, they may be questioned by members and the case officer.
8. The case officer's case will then be presented and, if present, they may be questioned by members and the appellant.
9. Both sides may then be asked to sum up, the case officer first.
10. Members will retire to deliberate in private. Once a decision has been made the case officer and appellant will be advised of the decision and next steps.

## Variation

The Monitoring Officer may elect to vary the process set out above if the Officer feels it is in the interests of the efficient and effective operation of the Sub-Committee.