

MINUTES OF COUNCIL MEETING HELD ON 9 MAY 2016

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NORTH EAST DERBYSHIRE DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

HELD ON 9 MAY 2016

Present:

Councillor Mrs P A Holmes Chair

Councillor S Peters Vice Chair

Councillor Mrs P Antcliff

“ W Armitage
“ Mrs J Austen
“ N Barker
“ Mrs J Barry
“ G Baxter MBE
“ Mrs L Blanshard
“ S Boyle
“ G Butler
“ A Cooper
“ Miss C Cupit
“ A Dale
“ S Ellis
“ Miss M Emmens
“ Mrs A Foster
“ M Foster
“ A D Garrett
“ M Gordon
“ R Hall
“ G Hopkinson
“ C Hunt

Councillor P R Kerry

“ H Laws
“ J Lilley
“ T Mansbridge
“ G Morley
“ A Powell
“ Mrs T Reader
“ B Rice
“ B Ridgway
“ Mrs J Ridgway
“ Mrs L Robinson
“ D Skinner
“ Mrs C A Smith
“ Miss R Smith
“ L Stone
“ K Tait
“ M E Thacker MBE
“ Mrs C Tite
“ R Welton
“ J Windle
“ B Wright

Before the meeting began, the Chair of the Council, Mrs A Holmes, handed over a cheque for over £6,400 to Richard Ball of Chesterfield Royal Hospital as part of her appeal which would go towards the building of a new multi-million pound Macmillan and Cancer Centre in Chesterfield. Mr Ball gave a brief presentation on how the money would be used to make a positive difference to the lives of people in North East Derbyshire.

The Chair also made presentations to Mrs Dorothy Ward, her consort and Mrs Joe Bradley and Mrs Claire Shacklady for all of their help during her year in office. She paid tribute to Councillor Stephen Peters, Vice-Chair of the Council, and thanked members of the Council for electing her for a second time.

The Chief Executive paid tribute to the Chair, presenting her with a photo album chronicling her year in office and a North East Derbyshire scarf as a token of thanks on behalf of the Council.

811 Apologies for Absence

Apologies for absence were received from Councillors B Barnes, P Elliott, Mrs E A Hill, Mrs J Hill, Mrs C D Huckerby, B Lewis and Mrs K Rouse.

812 Declarations of Interest

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

There were no interests declared at this meeting.

813 Minutes of the Council meeting held on 2 March 2016

RESOLVED – That the minutes of the meeting of the Council held on 2 March 2016 be approved as a correct record and signed by the Chair.

814 Chair's Announcements

The Chair thanked all members and officers who took part in the recent cycleathon, which raised over £1,800. She also paid tribute to civic dignitaries, members and officers who had attended her recent Civic Service and Reception and to those who had organised it.

815 Public Participation

In accordance with Council Procedure Rule No 8 members of the public were allowed to ask questions about the Council's activities for a period of up to 15 minutes. No questions from the public had been submitted.

816 Minutes of meetings held between 23 February and 4 May 2016

Council considered the following minutes of meetings held between 23 February and 4 May 2016:-

	MEETING	DATE
(a)	Licensing Sub-Committee (Pubs & Clubs)	23 February 2016 14 March 2016 11 April 2016 26 April 2016
(b)	Strategic Alliance Joint Committee	7 March 2016 – Special
(c)	Growth Scrutiny Committee	8 March 2016 5 April 2016
(d)	Planning Committee	8 March 2016 5 April 2016 20 April – Special 3 May 2016 – 10.00 am 3 May 2016 – 2.00 pm
(e)	Cabinet	9 March 2016 6 April 2016 4 May 2016
(f)	Organisation Scrutiny Committee	9 March 2016 13 April 2016
(g)	Communities Scrutiny Committee	11 March 2016 8 April 2016
(h)	Licensing Sub-Committee (Taxis)	7 April 2016
(i)	Standards Committee	20 April 2016
(j)	Audit & Corporate Governance Scrutiny Committee	21 April 2016

RESOLVED – That the minutes of the meetings held 23 February to 4 May 2016 be noted.

817 Questions from Members under Procedure Rule No 9.2

In accordance with Council Procedure Rule No 9.2 members were permitted to ask the Chair of the Council or relevant Committee or the appropriate Cabinet member questions about Council activities.

No questions had been submitted under Procedure Rule No 9.2 for this meeting.

818 Motions from Members under Procedure Rule No 10

No motions had been submitted under Procedure Rule No 10 for this meeting.

819 Scrutiny Annual Report 2015/16

Council considered the Annual Report of Overview and Scrutiny for 2015/16. Councillor B Wright, Chair of the Organisation Scrutiny Committee, presented the report on behalf of the Scrutiny Chairs and Vice-Chairs.

During the year, five scrutiny reviews had been undertaken and a number of recommendations made for improvement. These would be considered by Cabinet on 8 June 2016. The reviews related to administrative arrangements and joint officers, environmental despoilment, performance related pay, safeguarding arrangements and vacant land. In addition, the four committees had monitored the delivery of action plans from previous scrutiny reviews for anti-social behavior and young people, mental health services and working with parish and town councils. Progress against two of the action plans had been satisfactory and signed off. The third one was progressing well and would be signed off later in the year.

Details of the rest of the work undertaken by scrutiny throughout the year, including policy development work and joint scrutiny, was set out in the report. Suggestions for review topics for the 2016/17 work programme had been invited from a range of stakeholders and would be discussed at the first meetings of each committee in the municipal year.

RESOLVED – That the Annual Report of Overview and Scrutiny 2015/16 be noted.

820 Annual Report of the Standards Committee 2015/16

Council considered a report of Councillor B Ridgway, Chair of the Standards Committee, which set out the Committee's Annual Report for 2015/16.

During the year the Committee had met to consider a number of issues including the Standards Survey Action Plan, the review of the Council's Constitution, the re-developed joint policies for Whistleblowing and RIPA, as well as a number of consultations and survey results, together with guidance and reports that were available nationally.

During the 2015/16 municipal year, the Council had received five complaints that members of the District or parish/town councils had breached the Code of Conduct. All five complaints resulted in no breaches of the Code of Conduct or were otherwise deemed to be outside of the scope of the Code of Conduct. Although this represented a low number of complaints, compared with other local authorities, it was an increase for the Council as only one complaint had been received in 2014/15.

The reports of the two Independent Persons were attached to the report as appendices.

RESOLVED – That the Annual Report of the Standards Committee 2015/16 be noted.

821 Review of Whistleblowing Policy

Council considered a report of the Assistant Director – Governance and Monitoring Officer which sought approval for an updated Whistleblowing Policy.

Whistleblowing was a report from an employee, member or other person about suspected wrong doing within the organisation. The Public Interest Disclosure Act 1998 required employers to refrain from dismissing workers and employees or subjecting them to any other detriment because they had made a protected disclosure.

North East Derbyshire District Council had developed a joint Whistleblowing Policy with Bolsover District Council and the main change proposed to this policy was the addition of a flow chart to ensure that the process for dealing with whistleblowing reports was easy to follow. The amended policy also included minor changes which sought to add clarification to the process.

The Standards Committee had considered the updated policy and recommended it to Council for approval.

RESOLVED – That the amended Whistleblowing Policy, attached to the report as an appendix, be approved.

(Assistant Director –
Governance & Monitoring Officer)

822 Possible Relaxation of the Requirements for Late Night Refreshment Establishments

Council considered a report of the Assistant Director – Planning and Environmental Health which sought consideration of relaxation of requirements for licensing late night refreshment.

The Licensing Act 2003 required a premises where hot food or hot drink was sold to members of the public, or a section of the public, whether for consumption on or at any time between the hours of 2300 and 0500 off the premises to be licensed. The Act listed a number of supplies that were exempt from the licensing requirement.

The Deregulation Act 2015 permitted licensing authorities to relax the requirements for licensing late night refreshments in certain circumstances. Further regulations had provided a list of prescribed premises which a licensing authority may exempt from the requirement to be licensed for the provision of late night refreshment. The licensing authority could also decide to exempt premises within a certain geographical area for the requirement to license late night refreshment and also change the hours during which premises required a license.

The matter had been considered by Licensing Committee who resolved to recommend to Council that no exemptions be made for the requirement of licensing late night refreshment premises.

RESOLVED – That Council resolves not to make any exemptions to the requirements for licensing late night refreshment premises.

(Licensing Co-ordinator)

COUNCIL MINS (0509) 2016/AJD