

MINUTES OF COUNCIL MEETING HELD ON 11 JULY 2016

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NORTH EAST DERBYSHIRE DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

HELD ON 11 JULY 2016

Present:

Councillor S Peters Chair

| | | | |
|------------|------------------|------------|----------------|
| Councillor | W Armitage | Councillor | C Hunt |
| " | Mrs J Austen | " | P R Kerry |
| " | N Barker | " | H Laws |
| " | B Barnes | " | B Lewis |
| " | G Baxter MBE | " | J Lilley |
| " | Mrs L Blanshard | " | T Mansbridge |
| " | G Butler | " | G Morley |
| " | A Cooper | " | A Powell |
| " | Ms S Cornwell | " | Mrs T Reader |
| " | Miss C Cupit | " | B Rice |
| " | A Dale | " | B Ridgway |
| " | S Ellis | " | Mrs J Ridgway |
| " | Miss M Emmens | " | Mrs L Robinson |
| " | M Foster | " | Ms K Rouse |
| " | A Garrett | " | D Skinner |
| " | M Gordon | " | Mrs C A Smith |
| " | R Hall | " | L Stone |
| " | Mrs E A Hill | " | M E Thacker |
| " | Miss J Hill | " | R Welton |
| " | Mrs P A Holmes | " | J Windle |
| " | G Hopkinson | " | B Wright |
| " | Mrs C D Huckerby | | |

Before the meeting began, Council observed a moment's silence in memory of two former Councillors who had recently passed away, Councillor Graham Pass and Councillor Peter Hawkins.

122 Apologies for Absence

Apologies for absence had been received from Councillors Mrs P Antcliff, Mrs J Barry, S Boyle, P Elliott, Mrs A Foster, W Lilleyman, Miss R Smith, K Tait and Miss C Tite.

123 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.

124 Minutes of the Council and Annual Council Meetings held on 9 May 2016

Councillor M E Thacker, MBE, questioned why his remarks at the Annual Council meeting in opposition to the proposals for the appointments of the Chair and Vice-Chair of the Council were not recorded in the Minutes and was advised that the Minutes are not verbatim but provide a succinct record of the decisions taken.

Councillor Ms S Cornwell requested that her apologies for absence from the Council and Annual Council meetings held on 9 May be noted.

RESOLVED –

- (1) That an apology for absence on behalf of Councillor Ms S Cornwell for the Council and Annual Council meetings held on 9 May 2016 be noted.
- (2) That the Minutes of the meeting of the Council and Annual Council held on 9 May 2016 be approved as a correct record, subject to the noting of the above apology for absence, and signed by the Chair.

125 Chair's Announcements

The Chair began his announcements by advising Council of an event that he had attended in Chesterfield to commemorate the Battle of The Somme, where he had laid a wreath on behalf of the Council.

The Chair thanked all those who had purchased plants and flowers from the sale at the last Council meeting and he advised Council of further fund raising activities that were being planned.

The Chair also thanked everyone who had submitted photographs of the District for the 2017 calendar which would soon be available for sale.

Council was advised that the 58th Annual Brass Band Festival would be taking place on 24 September 2016 at Dronfield Sports Centre.

Members were also alerted to the Member Involvement Half Day that was to take place on Tuesday, 19 July 2016.

126 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.

127 Minutes of meetings held between 9 May and 1 July 2016

Council considered the following Minutes of meetings held between 9 May and 1 July 2016:-

| | MEETING | DATE |
|-----|---|---|
| (a) | Licensing Sub-Committee (Pubs & Clubs) | 16 May 2016 29 June 2016 |
| (b) | Audit & Corporate Governance Scrutiny Committee | 19 May 2016 |
| (c) | Licensing Sub-Committee (Taxis) | 2 June 2016 |
| (d) | Communities Scrutiny Committee | 3 June 2016 |
| (e) | Planning Committee | 7 June 2016 – 10.00 am - Special 7 June 2016 – 2.00 pm |
| (f) | Cabinet | 8 June 2016 29 June 2016 |
| (g) | Strategic Alliance Joint Committee | 14 June 2016 |
| (h) | Organisation Scrutiny Committee | 29 June 2016 |

Referring to Minute No 76 of the meeting of Cabinet on 8 June 2016, 'Proposals To Progress The Local Plan, Including An Update On The Implications And Risks Resulting From The Proposed New National Targets', Councillor A Dale asked whether the consultation period proposed in relation to the Local Plan would be given sufficient time, given that the proposed timing in late 2016/early 2017 would likely include the Christmas period.

Members were advised that the consultation that was planned was considered a very important process and that steps would be taken to ensure that an adequate period of time would be allowed for the process to be carried out effectively and meaningfully.

Referring to Minute No 63 of the meeting of Cabinet on 8 June 2016, 'Environmental Despoilment Scrutiny Review', Councillor A Dale asked why his motion earlier in the year had not been supported by the Council when Cabinet had supported the recommendations of the Communities Scrutiny Committee Review.

Council was advised that the Scrutiny Review had been ongoing at the time that Councillor Dale submitted his motion to Council and the review recognised that the Environmental Health Service provided a good service and the recommendations were opportunities for continual improvement.

RESOLVED – That the Minutes of the meetings held between 9 May and 1 July 2016 as set out above be noted.

128 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.

129 Motions from Members under Procedure Rule No 10

Council considered a motion on notice as set out in the agenda.

It was moved by Councillor G Baxter MBE and duly seconded that:-

“The council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.

Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little or no personal notification of the changes. Some women had only two years notice of a six year increase to their state pension age.

Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute – it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women’s state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.

The council calls upon the Government to reconsider transitional arrangements for women born on or after 6th April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.”

In accordance with Procedure Rule No 14.4, three Members of the Council requested a recorded vote on the motion, the result of which was as follows:-

For the motion – 43

(Councillors W Armitage, Mrs J Austen, N Barker, B Barnes, G Baxter MBE, Mrs L Blanshard, G Butler, A Cooper, Ms S Cornwell, Miss C Cupit, A Dale, S Ellis, Miss M Emmens, M Foster, A Garrett, M Gordon, R Hall, Mrs E A Hill, Miss Julie Hill, Mrs P A Holmes, G Hopkinson, Mrs C D Huckerby, C Hunt, P R Kerry, H Laws, B Lewis, J Lilley, T Mansbridge, G Morley, P Peters, A Powell, Mrs T Reader, B Rice, B Ridgway, Mrs J Ridgway, Mrs L Robinson, Ms K Rouse, Mrs C A Smith, L Stone, M E Thacker, R Welton, J Windle and B Wright).

Against the motion – 0

Abstentions – 0

RESOLVED – That:-

“The council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.

Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little or no personal notification of the changes. Some women had only two years notice of a six year increase to their state pension age.

Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute – it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women’s state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.

The council calls upon the Government to reconsider transitional arrangements for women born on or after 6th April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.”

130 Sheffield City Region – Devolution Deal Consultation Process

Council considered a report of the Chief Executive Officer which set out details for consultation in relation to the Sheffield City Region Mayoral Combined Authority and sought approval for the Chief Executive Officer, following consultation with the Leader, to submit a response on behalf of the Council.

The consultation followed a governance review undertaken by the combined authority as part of the process of determining if expansion of its boundary and the inclusion of new powers were likely to improve the exercise of its statutory functions.

Members were encouraged to look at the consultation documents via the link provided in the report, including the governance arrangements. The Chief Executive advised the Council that the proposal made clear that North East Derbyshire District Council was not part of the mayoral franchise and that there was no change to the Council's voting rights as a non-constituent member.

The recommendations in the report were moved by Councillor G Baxter MBE and duly seconded.

During the debate an amendment was moved by Councillor M E Thacker MBE and duly seconded that the reference in recommendation 6.2 to 'the Leader' be replaced with 'all Members', such that all Members would be given the opportunity to comment on the Council's draft response before submitting.

A vote was taken on the amendment and it was lost. The original motion was put to the meeting and it was RESOLVED that Council:-

- (1) notes the consultation process as set out within the report in relation to the proposed Sheffield City Region Mayoral Combined Authority.
- (2) Requests that the Chief Executive Officer, in consultation with the Leader, sends a letter of response to the consultation brief on behalf of the Council.

(Chief Executive)

131 Recruitment & Selection Policy and Guidance Documents

Council considered a report of Councillor N Barker, Portfolio Holder with Responsibility for Human Resources, Training and Member Development which sought approval for a new joint Recruitment and Selection Policy and Guidance Documents, which would cover both Bolsover and North East Derbyshire District Councils.

Members were advised of the key changes in these documents from the previous policy.

Members discussed the arrangements for safeguarding in relation to the recruitment of staff who would come into contact with children and vulnerable people as part of their roles. Council were advised that enhanced DBS checks were carried out for all staff with such roles, however, the Council would investigate whether any further provisions could be put in place prior to recruitment to strengthen this process.

RESOLVED – That Council approves the draft Recruitment and Selection Policy and Guidance Notes.

(Human Resources Manager)

132 Annual Report 2016

Council considered a report of Councillor G Baxter MBE, Leader of the Council and Portfolio Holder with Responsibility for Building a Better Council which presented to Members the Council's performance against 2015-19 Corporate Plan as well as a summary of the Council's spending against the 2015/16 financial budget.

Two of the highlights of the Council's achievements during the year included the £178m remediation exercise on The Avenue Site, and the identification of potential savings in excess of £550,000 as a result of the Council's prudent financial management.

The recommendations in the report were moved and duly seconded.

RESOLVED – That Members receive and approve the content of the Annual Report 2016 prior to it being made available to the public, as attached to the report.

(Assistant Director – Customer Service and Improvement)

133 Independent Remuneration Panel

Council considered a report of the Assistant Director of Governance and Solicitor to the Council and Monitoring Officer which sought to establish an Independent Remuneration Panel in order to commence a full review of the Members' Allowance Scheme.

Prior to making a new Scheme, Members must have regard to the recommendations of an Independent Remuneration Panel comprising at least three people who are not currently elected or co-opted Members of the Authority and are not disqualified from being Members of an Authority.

Officers had approached individuals who were, in the opinion of the Council's Monitoring Officer, suitably independent, qualified and representative of the local community.

The proposed Terms of Reference for the Independent Remuneration Panel were for the Panel to have regard to:-

- The level of basic allowance, special responsibility allowance, travel and subsistence allowance, co-optees allowance, independent carers allowance at the District Council for the year commencing 1 April 2017;
- As to whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated in accordance with

Regulation 10(6) of the Local Authorities (Members Allowances) (England) Regulations 2003;

- As to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years before its application is reviewed.

The recommendations in the report were moved by Councillor G Baxter MBE and duly seconded.

RESOLVED – That Council:-

- (1) Appoints Gordon Inglis, Susan Ambler and Joanne Hill to its Independent Remuneration Panel (IRP).
- (2) Approves the Independent Remuneration Panel's Terms of Reference as set out above.
- (3) Agrees to the Independent Remuneration Panel Members being reimbursed travel and subsistence expenses in connection with their work on the Panel.

(Senior Principal Solicitor)

134 Exclusion of Public

RESOLVED - That the public be excluded from the meeting during the discussion of the following item of business to avoid the disclosure to them of exempt information as defined in Paragraphs 1, 3 and 4, Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006).

135 Restructure of Joint Housing Strategy and Growth Team

Council considered a report of Councillor Mrs E A Hill, Portfolio Holder with Responsibility for Housing Strategy and Social Inclusion which sought approval for a new structure for the Council's Housing Strategy and Growth functions across North East Derbyshire and Bolsover District Councils.

The existing structure and the proposed new structure were attached to the report.

The report included details of the consultation process that had taken place, as well as details of the job evaluation process.

RESOLVED – That Council:-

- (1) Approves the implementation of the proposed structure as set out in Appendix 2 to the report for the Housing Strategy and Growth functions across both Councils.

- (2) Agrees not to recruit to the vacant Empty Properties Officer post, on the basis that this work would be assimilated into the revised structure.

(Assistant Director – Economic Growth)

COUNCIL MINS (0711) 2016/AJD
