

COUNCIL

MINUTES OF MEETING HELD ON MONDAY, 2 MARCH 2020

Present:

(in the Chair)

Councillor Pat Antcliff (Vice-Chair)

Councillor William Armitage	Councillor Nigel Barker
Councillor Jayne Barry	Councillor Joseph Birkin
Councillor Kevin Bone	Councillor Patricia Bone
Councillor Stephen Clough	Councillor Andrew Cooper
Councillor Suzy Cornwell	Councillor Charlotte Cupit
Councillor Alex Dale	Councillor Lilian Deighton
Councillor Peter Elliott	Councillor Angelique Foster
Councillor Mark Foster	Councillor John Funnell
Councillor Roger Hall	Councillor Lee Hartshorne
Councillor Bette Hill	Councillor Ann Holmes
Councillor Anthony Hutchinson	Councillor Maggie Jones
Councillor Jeremy Kenyon	Councillor Pat Kerry
Councillor Barry Lewis	Councillor Heather Liggett
Councillor Jeff Lilley	Councillor Gerry Morley
Councillor Paul Parkin	Councillor Stephen Pickering
Councillor Maureen Potts	Councillor Alan Powell
Councillor Oscar Gomez Reaney	Councillor Carolyn Renwick
Councillor Michael Roe	Councillor Diana Ruff
Councillor Ross Shipman	Councillor Kevin Tait
Councillor Martin E Thacker MBE JP	Councillor Richard Welton
Councillor Nick Whitehead	Councillor Pam Windley
Councillor Philip Wright	

Also Present:

N Calver	Governance Manager
J Dethick	Head of Finance and Resources
K Hanson	Joint Strategic Director - Place
L Hickin	Joint Strategic Director - People
S Sternberg	Joint Head Of Service - Corporate Governance & Monitoring Officer

569 Apologies for Absence

Apologies for absence had been received from Councillors M Emmens, D Hancock, C Huckerby, C Hunt, T Reader, J Ridgway, K Rouse, L Stone and B Wright.

570 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 declarations of interest made at this meeting.

571 Chair's Announcements

Before making her announcements the Vice Chair of the Council, Councillor P Antcliff, invited the Leader of the Council, Councillor M E Thacker MBE, to update the Council on the latest position regarding the coronavirus. The Leader of the Council reported that to date there had been one confirmed case of coronavirus (COVID19) in Derbyshire, in the Buxton area and Public Health England had been managing and leading on this case. It was reported that the Council continued to be fully engaged with the county-wide Local Resilience Forum and a sub-group, led by health agencies, was in place to ensure the County was prepared. Karen Hanson, Joint Strategic Director, was the Council's Emergency Planning Officer and she would continue to participate in all multi-agency meetings. The Council's business continuity plans had been reviewed to ensure that they were effective and appropriate. Information was available on the Council's website, with links to Government information and advice which would be regularly updated.

The Vice Chair of the Council reported that she had had the pleasure of attending the Derbyshire Amateur Swimming Association Championships at The Arc Leisure Centre in Matlock on 23 February, which she had thoroughly enjoyed. She had enjoyed seeing all the swimmers taking part, especially those swimmers from clubs based in the District.

572 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. The replies to any such questions will be given by the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

Question submitted by Robert Purcell to Councillor Jeremy Kenyon, Portfolio Holder for Transformation and Climate Change:-

Recent polls have shown that the majority of people in Britain are concerned about climate change and want to do something urgent about it. In the last year Derbyshire has been affected by unprecedented weather events, including the dam failure in Todbrook, the worst year for wildfires and more recently storms and high rainfall levels causing flooding in Matlock, Derby and the Amber Valley area.

Tackling climate change through reducing carbon emissions and planning mitigating actions is a complicated matter which will require the Council to make difficult and challenging decisions. Although this Council has produced a Climate Action Plan it has done so without consulting the local community.

I understand that Derbyshire Climate Coalition have already called on North East Derbyshire District Council to consider the use of a citizen's assembly to make decisions about how to cut carbon emissions in North East Derbyshire. A properly set up citizen's assembly is made up of a representative sample of local

people who are advised by a balanced panel of involved experts and stakeholders. By using this process local representatives are supported to arrive at recommended actions for their area. Some Councils in the country are already using a citizen's assembly process.

The advantages of using a citizen's assembly are that firstly, the decisions will be recommended by and in the best interests of local people and therefore are likely to be fully supported by the local population.

Secondly, although a citizen's assembly has some costs attached, the costs of failing to act with urgency and without the agreement of the community are likely to be much higher.

Can the Councillor explain to me what consideration has been given to the use of a citizen's assembly for North East Derbyshire Council, including what sources of information and advice have been used?

Councillor J Kenyon, Portfolio Holder for Transformation and Climate Change, thanked Mr Purcell for his question. Councillor Kenyon stated that in recognition of the seriousness of climate change a climate change Cabinet Member had been appointed so as to give more focus to work in this area. Councillor Kenyon stated that he had read Extinction Rebellion's guide to citizens' assemblies, which was comprehensive and contained a lot of good information. Running a citizens' assembly was a significant amount of work and the examples given in the guide were mainly national ones and a few created by London boroughs and county councils. There was a UK citizens' assembly tracker which listed those already set up and showed that most assemblies that had already been set up were either national, or set up by counties or large cities. Councillor Kenyon stated that he hadn't found any evidence that one would work at a much smaller scale, such as one run by a district council. The government was putting together a climate change citizens' assembly and the recommendations of that assembly would be keenly studied by the Council. A Climate Change Summit would be taking place at Derbyshire County Council on 3 March 2020 and a citizen's assembly would be one of the topics discussed at that meeting.

Councillor Kenyon went on to say that all levels of local government had a part to play in addressing climate change. The Council had already set up a climate change sub-group, which met regularly and a transformation group was being set up. It was vital to work with the local community and various initiatives were currently underway to do that. One project was to inform residents what they can do to reduce their own environmental impact and another was work with local Parish Councils. A climate change pack was being produced to give to Parish Councils information about what they could do to reduce their emissions and would contain what parish councils could do to work alongside other councils to communicate with residents about climate change. The Council would also arrange events throughout the district to engage with residents, provide information and also to hear residents' suggestions and ideas about what the Council could do.

SUPPLEMENTARY QUESTION

Mr Purcell exercised his right to ask a supplementary question of the Portfolio

Holder for Transformation and Climate Change, asking for further information on the local climate group that Councillor Kenyon had referred to and whether that meeting was open to the public to be involved.

In response Councillor J Kenyon stated that the Climate Change Sub-Group was a cross party council group of Councillors and officers and it had not yet been considered whether it would be open to the public but they would be inviting outside experts to come and speak and provide information to the sub-group.

573 Level of Council Tax 2020/21

Council considered a report of Councillor P Parkin, Portfolio Holder for Finance, which recommended the levels of Council Tax for the 2020/21 financial year.

The Localism Act 2011 required for all billing authorities to calculate the Council Tax requirement each year. The approved amount on the Collection Fund in respect of North East Derbyshire Council was £5,929,091.

In order to calculate the Council Tax requirement for North East Derbyshire 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.

The table of paragraph 1.5 to the report set out the levels of Council Tax for the year for each of the categories of dwellings.

The report requested approval by Council for the precepts of the relevant public authorities operating within the North East Derbyshire District area in order for the Council to agree the Council Tax Liability for local residents in respect of 2020/21.

In line with the provisions set out within the Council's constitution a recorded vote was taken (where matters affecting the Council's budget or Council Tax are considered).

For the motion – 44

(Councillors P Antcliff, W Armitage, N Barker, J Barry, J Birkin, K Bone, P Bone, S Clough, A Cooper, S Cornwell, C Cupit, A Dale, L Deighton, P Elliott, A Foster, M Foster, J Funnell, R Gomez, R Hall, L Hartshorne, B Hill, A Holmes, A Hutchinson, M Jones, J Kenyon, P Kerry, B Lewis, H Liggett, J Lilley, G Morley, P Parkin, S Pickering, M Potts, A Powell, C Renwick, M Roe, D Ruff, R Shipman, K Tait, M Thacker, R Welton, N Whitehead, P Windley, and B Wright).

Against the motion – 0

Abstentions – 0

RESOLVED – That Council formally approves the Council Tax for the financial year 2020/21 as set out in the report.

574 Appointments to Committees

Councillor M E Thacker MBE proposed a mid-year change to the membership of the Growth Scrutiny Committee.

A request had been made for Councillor M Emmens to replace Councillor C Renwick on the Growth Scrutiny Committee. It was also proposed that Councillor M Emmens be appointed as Vice-Chair of the Growth Scrutiny Committee. This change was permissible with the consent of Council by way of a resolution and would commence following agreement and would conclude at the meeting of Annual Council in May 2020.

RESOLVED – That the mid-year revisions to the appointment of Committees be approved.

575 Pay Policy Statement 2020/21

Council considered a report of Councillor A Dale, Deputy Leader and Portfolio Holder for Council Services to seek approval for publication of the draft Pay Policy Statement as set out in Appendix 1 to the report.

The Council was required, under the Localism Act 2011, to publish a pay policy statement, with particular reference to the pay of its chief officers and its lowest paid employees.

The Pay Policy Statement for the Council had been reviewed as part of an annual process and updated for 2020/21. The NJC were still in negotiations in relation to a pay increase so information in respect of this could not be included.

RESOLVED – That Council approves for publication the Pay Policy Statement 2020/21 as set out in Appendix 1 to the report.

576 To answer any questions from Members asked 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.

577 To consider any motions from Members asked under Procedure Rule No 10

In accordance with Council Procedure Rule No 10 to consider motions on notice from Members. Motions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

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

578 Exclusion of the Public

RESOLVED – That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Paragraphs 1, 2 and 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to

Information) (Variation) Order 2006).

579 Management Structure Proposals

Members gave consideration to a report of the Leader seeking approval from Council to implement a proposed new management structure.

RESOLVED – That:-

- (1) Council support and agree to implement the new structure.
- (2) The role of Joint Chief Executive Officer be removed from the establishment with effect from 6 March 2020 and the post holder be made redundant subject to the completion of the agreed Settlement Agreement.
- (3) With effect from 1 September 2020, and subject to a review of the structure implementation, the Directors receive an increase in salary of £2,000 per annum to the top of the pay grade to reflect additional responsibility as a result of removing the Chief Executive Officer's post from the establishment.
- (4) The Director of People be renamed the Director of Corporate Resources and be designated Head of Paid Service for six months commencing on 6 March 2020.
- (5) The Director of Place be renamed the Director of Environment and Enforcement and be designated Deputy Head of Paid Service for six months commencing on 6 March 2020.
- (6) The Leaders will review arrangements for the Head of Paid Services before the end of these six months.
- (7) In consultation with the Leader, the Head of Paid Services is given delegated authority to review the Directors' roles and put measures in place to ensure the Joint Chief Executive's duties are fully covered to include the allocation of responsibilities in the Delegation Scheme in the Constitution.
- (8) In consultation with the Leader, the Head of Paid Services is given delegated authority to deal with issues, as they arise, to ensure the implementation of the new structure is completed to include the allocation of responsibilities in the Delegation Scheme in the Constitution, including Proper Officer appointments.
- (9) The Council approve the recommendation of the Employment and Appeals Committee to appoint Ms Gill Callingham to the new post of Director of Growth and Economic Development at NEDDC on Scp 1 within NED Director grades.
- (10) The Joint Head of Corporate Governance and Monitoring Officer is appointed to the role of Returning Officer and Electoral Registration Officer and takes on all related responsibilities and powers as set out in the

Council's Scheme of Delegation, including Proper Officer appointments.

580 Chair's Urgent Business

There was no urgent business to be considered at this meeting of Council.