

COUNCIL

MINUTES OF MEETING HELD ON MONDAY, 18 MAY 2020

Present:

Councillor Pat Antcliff (Chair)
Councillor Diana Ruff (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 Michelle Emmens
Councillor Angelique Foster	Councillor Mark Foster
Councillor John Funnell	Councillor Roger Hall
Councillor David Hancock	Councillor Lee Hartshorne
Councillor Bette Hill	Councillor Carol Huckerby
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 Tracy Reader	Councillor Oscar Gomez Reaney
Councillor Carolyn Renwick	Councillor Michael Roe
Councillor Kathy Rouse	Councillor Ross Shipman
Councillor Lee Stone	Councillor Martin E Thacker MBE JP
Councillor Richard Welton	Councillor Nick Whitehead
Councillor Pam Windley	

Also Present:

G Callingham	Director of Growth and Economic Development
N Calver	Governance Manager
J Dethick	Head of Finance and Resources
K Hanson	Director of Environment and Enforcement
L Shaw	Managing Director - Rykneld Homes Ltd
S Sternberg	Joint Head Of Service - Corporate Governance & Monitoring Officer

COU Election of Chair of the Council

/1/20

-21 One nomination was received for the position of Chair of the Council for the 2020/21 Municipal Year.

Councillor M E Thacker MBE spoke to Council in support of his proposal for Councillor P Antcliff to be duly elected as Chair of Council for the ensuing Municipal Year. Councillor A Dale seconded this proposal.

RESOLVED – That Councillor P Antcliff be elected Chair of the Council for the

2020/21 Municipal Year.

COU Outgoing Chair

/2/20

-21

Councillor M E Thacker MBE spoke to Council in consideration of Councillor C Huckerby's work as Chair of the Council during 2019/20, along with her consort Stuart Huckerby.

Councilor C Huckerby had represented the authority at numerous occasions, including the induction of the new Bishop of Derby, presented the winner's trophy at the 61st annual brass band festival, and the swearing in of the Council's first Civic Cadets.

Councillor C Huckerby supported Sheffield Children's Hospital PACT during her year. As well as visiting PACT house to meet staff and patients she promoted awareness of the charity and raised over £3400.

Councillor M E Thacker MBE stated that Councillor C Huckerby had shown real fortitude and proposed that the Council placed on record its sincere gratitude for the grace and dignity that Councillor C Huckerby had demonstrated as Chair and sincere appreciation for the support of Stuart Huckerby as consort.

COU Appointment of Vice Chair of the Council

/3/20

-21

Two nominations had been received for the position of Vice Chair of the Council for the 2020/21 Municipal Year but one nomination had been withdrawn prior to the meeting.

Councillor M E Thacker MBE spoke to Council in support of his nomination for Councillor D Ruff to be duly appointed to the Vice Chair of Council for the ensuing Municipal Year. Councillor A Dale seconded this proposal.

RESOLVED - That Councillor D Ruff be appointed Vice Chair of the Council for the 2020/21 Municipal Year.

COU Apologies for Absence

/4/20

-21

Apologies for absence had been received from Councillors L Deighton, P Elliott, P Holmes, C Hunt, J Ridgway and B Wright.

COU Declarations of Interest

/5/20

-21

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.

No declarations of interest were made at this meeting.

COU Adoption of the Virtual Meeting Standing Orders

/6/20

-21

Members gave consideration to a report of the Joint Head of Corporate

Governance and Monitoring Officer, detailing proposed amendments to the Council's Procedure Rules.

From 4 April 2020, the Government had temporarily removed the legal requirement for local authorities to hold public meetings in person during the Coronavirus pandemic. This would remain in place until May 2021. Local authorities in England had been handed new powers to hold public meetings virtually by using video or telephone conferencing. It was therefore proposed that amendments were temporarily made to the Council's Procedure Rules for the duration of one municipal year, to incorporate the use of virtual meetings.

RESOLVED – That the amendments to the Council's Procedure Rules set out in Appendix 1 to the report be approved for the duration of one municipal year.

COU **Chair's Announcements (if any)**

/7/20

-21 The newly elected Chair of Council began her announcements by welcoming everyone to the first virtual meeting of Council.

The Chair thanked all members present for electing her and promised to undertake the role in a fair and balanced way and to act to the best of her ability. As first citizen of the District she would represent the whole of North East Derbyshire and would promote the interests of the District and those living and working here.

The Chair explained that through her Chair's Appeal she would be supporting Alzheimer's Research UK and the National Deaf Children's Society.

COU **Council Minutes**

/8/20

-21 RESOLVED – That the Minutes of the meetings of Council held on 17 February and 2 March 2020 be approved as correct records and signed by the Chair.

COU **Leader's Announcements**

/9/20

-21 The Leader advised Council on the latest position regarding Covid-19. Covid-19 had presented significant challenges for the people of North East Derbyshire but it had also highlighted the resilience of local residents and outstanding community spirit. The Leader stated that North East Derbyshire placed on record sincere appreciation for the many unsung heroes who truly were saving lives and safeguarding our way of life.

The Leader reported that to date the Community Support Team created by the Council, had:-

- Telephoned 5450 people to offer assistance;
- Delivered over 4000 medical supplies;
- Provided 82 food boxes;
- Delivered 700 local newspapers and magazines to those most isolated;
- Contacted over 1800 businesses to help them access financial support;
- Provided 1584 grants to businesses totaling almost £18m;
- Awarded 350 business 100% business rates relief;

- Addressed 78 environmental concerns from residents;
- Received 20,188 calls and emails from residents and businesses requesting support and advice with Council Tax and Business Rates;
- Had over 31,500 views of the Covid-19 information section on the Council's website;
- Received £8,265 in donations to support the District's work for others;
- Launched the #Newskillschallenge to promote and teach British Sign Language;
- Sent over 220 Tweets and 220 Facebook posts reaching an audience of 360,000 views.

The Environmental Health Team had provided support to local businesses and were also working alongside officers in Economic Development to identify high street businesses that needed support.

The Council had led on a county-wide project to get homeless people off the streets. Providing urgent accommodation for some of the most vulnerable and now ensuring that this work had a positive and sustainable legacy with the objective that these people did not end up homeless again.

As the lockdown has progressed, concerns about the mental health and wellbeing of people had increased. The Council was working with The Derbyshire Times to ensure weekly delivery of the newspaper to help the isolated stay connected locally.

The Council had placed stickers on all residents' bins to keep them updated with waste collection arrangements and to ensure every household had the Council's contact details for support and advice.

The Leader spoke about the joint working between the Council and Rykneld Homes and gave examples of the work that had been done to help vulnerable residents.

There had been regular meetings to ensure a cross-party approach to supporting the District's residents and businesses. The Leader extended his sincere thanks to Councillors Barker, Cupit, Dale, Funnell, Powell and Shipman for their valued contributions to the meetings and working collaboratively. The Leader said that he appreciated the support and encouragement from Councillors across the Chamber and that many Councillors had demonstrated community leadership and were achieving so much for the people they represented. Town and Parish Councils were also playing their part and there had been fantastic engagement with the Council to share information and provide essential services.

The Leader concluded that all this evidenced a huge, collective effect which should leave all with a lasting sense of pride that local communities had tackled coronavirus head on and North East Derbyshire had shown unity through adversity. The Council remained steadfast in its resolve to put the welfare of every residents first and foremost.

Councillor N Barker thanked Councillor C Huckerby for her year as Chair of the Council and congratulated Councillor P Antcliff on being elected Chair of the Council for 2020/21. Councillor N Barker also thanked Councillor M E Thacker

MBE for his updates and staff for their work during the unprecedented times.

Councillor R Shipman thanked the Leader of the Council for invitations to the Council's emergency response meetings and to the staff.

Councillor J Funnell commented that the Council had communicated well throughout.

COU Appointment of The Cabinet

/10/2

0-21

The Leader advised Council of the changes to the Cabinet Members and their Portfolios for the forthcoming Municipal Year. This was confirmed as:-

Councillor M E Thacker MBE

Leader and Portfolio Holder for Overall Strategic Leadership

Councillor A Dale

Deputy Leader and Portfolio Holder for Council Services

Councillor C Cupit

Portfolio Holder for Environment

Councillor J Kenyon

Portfolio Holder for Transformation and Climate Change, Business Strategy, Commerce & Assets

Councillor B Lewis

Portfolio Holder for Partnerships & Leisure

Councillor P Parkin

Portfolio Holder for Finance

Councillor A Powell

Portfolio Holder for Communications and Housing

Councillor C Renwick

Portfolio Holder for Economic Growth

RESOLVED – That Council notes the Cabinet for 2020/21 as attached to the Agenda.

COU Review of the Council's Constitution

/11/2

0-21

Members gave consideration to a report of the Joint Head of Corporate Governance and Monitoring Officer, detailing proposed amendments to the Council's Constitution as part of the Annual Review for adoption.

The Constitution was the Council's Rule Book, setting out how the Council operated and how it was to make its decisions. Council approved the latest version of the Constitution at the Annual Meeting in May 2018. Further, the Council was required by law to prepare and keep an up-to-date Constitution, and ensure that all procedures to be followed were efficient, transparent and

accountable to local people.

Under the guidance of the Monitoring Officer, the Standards Committee had undertaken an annual review of the Constitution to ensure that it was up-to-date and in line with legislation. Each of the areas of review had been set out in detail, along with a rationale for the amendments proposed within Appendix 1 to the report and a track changes version of the Constitution detailing all amendments was attached to the report at Appendix 2.

Councillor J Birkin raised concern regarding the delegation to officers to make changes to the constitution. The Monitoring Officer confirmed that this was only aimed at things such as updating names and titles and general housekeeping, and all changes would be made in consultation with Members.

Councillor D Hancock raised concern regarding the proposed changes to questions and motions, in particular the limiting of motions to only one motion per Member per meeting to replicate the limits on questions.

Councillor R Shipman proposed an amendment to remove the line 'Introducing a limitation of one motion per Member per meeting to replicate the limits on questions' from the proposed changes. Councillor D Hancock seconded the amendment.

On being put to the vote the amendment was defeated.

A vote on the substantive motion was carried.

RESOLVED – That:-

- (1) The amendments to the Constitution detailed at Appendix 1 and set out in Appendix 2 to the report be approved.
- (2) Delegated power be given to the Monitoring Officer to make changes to the Constitution arising from any new legislation, administrative errors or conflicts in interpretation.

COU /12/2 **Appointment to Committees and Advisory Groups 2020/21**

0-21 A revised list of appointments to Committees and Advisory Groups had been circulated.

Councillor D Hancock reported that there was one amendment to be made in respect of the Planning Committee, that Councillor R Shipman should be listed as the Liberal Democrat Group substitute.

RESOLVED – That the Council approves the appointment of Members to Committees and Advisory Groups for the 2020/21 municipal year, attached as **Appendix A** to these Minutes.

COU /13/2 **Appointment of Chairs and Vice Chairs of Committees**

0-21 **RESOLVED** – That the Chairs and Vice Chairs for Committees for the 2020/21

municipal year attached as **Appendix B** to these Minutes be approved.

COU Operation of Urgency Rules and Thresholds for Key Decisions

/14/2

0-21

Council considered a report of the Joint Head of Corporate Governance and Monitoring Officer, which advised of Decisions taken under Special Urgency Rules in the past 12 months and the revised financial limits for the Key Decisions.

The Council was required under legislation to report instances where Special Urgency Rules had been utilised in respect of Key Decisions. This was where it was impractical to give the requisite notice of Key Decisions before they were made.

Council noted that no decisions had been taken under Special Urgency Rules.

The Council also had a constitutional requirement to advise of those occasions when it had taken decisions where call-in provisions had been waived. The Council had not taken any such decisions in the previous 12 months.

The Council noted that it was a requirement at its Annual Meeting to review the thresholds for Key Decisions. The current thresholds for Key Decisions were recommended to continue and were as follows:-

- Revenue (income, savings or expenditure) £100,000;
- Capital (income or expenditure) £250,000.

RESOLVED – That Council:-

- (1) Notes that no decisions have been taken over the past 12 months under Special Urgency Rules.
- (2) Notes that no decisions have been taken over the past 12 months under Urgency provisions in the Council's Scrutiny Rules.
- (3) Agrees that the financial thresholds for Key Decisions be maintained at £100,000 (Revenue) and £250,000 (Capital).

COU Appointment to Outside Bodies

/15/2

0-21

A revised list of appointments to Outside Bodies had been circulated.

Councillor M E Thacker MBE reported that there was one amendment to be made in respect of the Sheffield City Region Combined Authority, which was that Councillor M E Thacker MBE should be listed as the council representative and Councillor A Dale as the named substitute.

RESOLVED – That the appointments to Outside Bodies for 2020/21 be approved.

COU Calendar of Meetings

/16/2

0-21

Council considered a report of the Leader of the Council, which presented for Council's approval the calendar of meetings for 2020/21. The proposed calendar

of meetings for 2020/21 was attached to the report at Appendix 1.

There would be briefings held prior to the first meetings of Licensing, Planning and Audit and Corporate Governance Scrutiny Committees. These briefings would provide information about the functions of the committee and the Members role within it. Training for all Chairs and Vice Chairs would be arranged shortly after the Annual Council meeting. All Members and officers would be electronically invited to the meetings listed in the calendar. Governance officers would arrange briefing meetings when required in advance of relevant committees. There would be a schedule of these briefing meetings which would tie in with legal requirements for the dispatch of agendas.

The early dates within the schedule were subject to change with the development of virtual committee meetings – which was still in its infancy. The first month indicated delivery of approximately 50% of meetings, and any change to this would be communicated to Members. Due to the changing national position, it was not possible at this point to confirm which July and August meetings would be taking place, and this would be communicated in due course.

A number of Councillors commented about the difficulty experienced by Members when meetings were rescheduled, the start times changed or where cancelled at short notice. It was noted that meetings should only be changed if absolutely necessary and that Vice-Chairs should chair meetings if the Chair was unavailable, rather than the meeting being rearranged.

RESOLVED – That:-

- (1) The 2020/21 calendar of meetings, as set out in Appendix 1 to the report, be approved and the points outlined in paragraph 1.4 and 1.5 be noted;
- (2) Delegated authority be granted to the Governance Manager, following consultation with the Leader of the Council and the Chairman of the relevant Committee(s)/Working Group(s), to amend the Calendar of Meetings 2020/21 as and when required in accordance with the regulations of the Coronavirus Act 20.

COU Scheme of Delegation

/17/2

0-21

Members considered a report of the Joint Head of Corporate Governance and Monitoring Officer, requesting for Council to approve the Scheme of Delegation as outlined in Part 3 of the Council's Constitution.

The Monitoring Officer advised that it was a requirement under Council Procedure Rule 1.1 of the Council's Constitution that the Annual Meeting agreed the Scheme of Delegation. The Scheme also outlined proper officer provisions. It was noted that the Scheme of Delegation had been amended and set out in the Review of the Constitution report considered earlier in the meeting.

RESOLVED – That Council's Scheme of Delegation as set out in the Council's Constitution be approved.

COU Chair's Urgent Business

/18/2

0-21 There was no Chair's urgent business to be considered at this Annual Council meeting.