

COUNCIL

MINUTES OF MEETING HELD ON MONDAY, 9 SEPTEMBER 2019

Present:

Councillor Carol Huckerby (Chair)
Councillor Pat Antcliff (Vice-Chair)

Councillor Nigel Barker	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 Michelle Emmens
Councillor Angelique Foster	Councillor Mark Foster
Councillor John Funnell	Councillor Roger Hall
Councillor David Hancock	Councillor Lee Hartshorne
Councillor Bette Hill	Councillor Ann Holmes
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 Diana Ruff	Councillor Ross Shipman
Councillor Lee Stone	Councillor Martin E Thacker MBE JP
Councillor Richard Welton	Councillor Nick Whitehead
Councillor Brian Wright	Councillor Philip Wright

Also Present:

J Dethick	Head of Finance and Resources
S Gordon	HR & OD Manager
K Hanson	Joint Strategic Director - Place
L Hickin	Joint Strategic Director - People
A Maher	Senior Governance Officer
S Sternberg	Joint Head Of Service - Corporate Governance & Monitoring Officer

204 Apologies for Absence

Apologies for absence had been received from Councillors W Armitage, J Barry, C Hunt, A Hutchinson, J Ridgway, K Tait and P Windley.

205 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.

206 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of the Council held on 8 July 2019 be approved as a correct record and signed by the Chair.

207 Chair's Announcements (if any)

The Chair of the Council, Councillor C Huckerby explained that she had now recovered from her leg injury. The Chair made it clear that she was looking forward to being as active as possible in the District's communities, meeting the Council's own staff and representing the District of North East Derbyshire across the region.

The Chair informed Members that she had attended the inauguration of the new Bishop of Derby, the Right Reverend Libby Lane. She pointed out that the Right Reverend Lane was the first female Bishop of the Diocese of Derby and showed a clear commitment to all of the people of Derbyshire.

The Chair explained to Council that she would support through her charitable appeal the Sheffield Children's Hospital Parents Association of Children with Tumours and Leukaemia (PACT) during her year in office. The Chair invited a representative of PACT, Beryl Welburn, to briefly explain the role of association and the work which it carries out to support children with tumours and Leukaemia, their parents and their families.

The Chair thanked Mrs Welburn for her comments.

208 Armed Forces Covenant

Council received a presentation from the Strategic Partnership Co-ordinator on the Council's support for the Armed Forces community and the Armed Forces Covenant. As part of this, he highlighted the support which it provides through its Choice Based Allocations Policy, the work carried out in conjunction with the Soldier, Sailor and Airforce Association (SSAFA) to meet the needs of veterans, such as referring ex-service people for Disabled Facilities Grants and by offering additional paid leave to Council employees serving in the armed forces reserves, so that they can undertake the required military training.

Members thanked the Strategic Partnership Co-ordinator for his presentation.

Council then considered a report of Councillor M E Thacker MBE, the Leader of the Council and Armed Forces Champion. The report explained the Council's commitment to the armed forces and the way in which it would show its ongoing commitment to the Covenant by continuing to develop the Council's 'offer' to the

armed forces community (or those serving and formerly serving in the armed forces and their families).

The report made clear that discussions would take place with the Clay Cross Army Cadet detachment, in order to establish an Annual Civic Events role. The aim was that they should accompany the Council Chair to various civic events.

Members discussed the report. There was a consensus that the Council had demonstrated a long standing commitment to the Armed Forces and general support for this commitment should continue and be enhanced.

The Chair explained that in recognition of this long standing commitment, the Council had been awarded the Ministry of Defence (MOD) Employee Recognition Service Bronze Award. The award was presented at the meeting by Colonel John Wilson from the MOD. Colonel Wilson explained the valuable role which the Council and others can play in helping to build a supportive relationship between the armed forces Community and wider society.

Council thanked Colonel Wilson for his comments and for the award.

At the conclusion of the discussion, Members agreed that the Leader of the Council be authorised to re-sign the Covenant on behalf of the Council, in his capacity as Armed Forces Champion, in confirmation of the Council's continuing commitment to the armed forces community.

RESOLVED – That Council:-

- (1) Notes the activities undertaken to-date to support the delivery of the Armed Forces Covenant for Derbyshire and the planned activities for the future.
- (2) Approves the re-signing of the Armed Forces Covenant for Derbyshire, by Councillor M E Thacker MBE to highlight its commitment to the Armed Forces Community within the District.

209 Presentation - Derbyshire Law Centre

The Chair explained that the presentation by the Derbyshire Law Centre had been postponed. The presentation would be rearranged to take place at a Council meeting on a later date.

210 Public Participation

Members were reminded that 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 would be given by the appropriate Cabinet Member. Questions had to be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

Council was informed that no questions from the public had been submitted.

211 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.

Two questions had been submitted by Members under Procedure Rule 9.2 for this meeting.

(a) Question submitted by Councillor Ross Shipman to Councillor Martin Thacker MBE, Leader of the Council

Does Councillor Thacker believe that ward members should be briefed of issues relating to their area before the media receive copies of any press releases about said issues?

Councillor R Shipman was invited to ask his question of Councillor M E Thacker MBE, the Leader of the Council, as set out in the agenda for the meeting.

The Leader of the Council explained that when possible elected Members were informed of issues which affect their wards and especially when issues arise that might be of interest to the press. He made clear, however, that it may not always possible to do this because of the time constraints or because the issues involved are confidential.

SUPPLEMENTARY QUESTION

In exercising his right to ask a supplementary question of the Leader of the Council, Councillor R Shipman queried a specific issue where, he contended, the press had been informed at a significant time before he and other local Members were briefed. These specific points were answered by the Leader of the Council. He emphasised that the Council's ability to keep Members informed can be made more difficult when they in turn talk to the press independently, without then subsequently informing the Council's Communications Team.

(b) Question submitted by Councillor Suzy Cornwell to Councillor Barry Lewis, Portfolio Holder for Partnerships & Leisure

Councillor S Cornwell was invited to ask her question of Councillor B Lewis as set out in the agenda for the meeting.

Please could you inform the Council what the plans are for this administration to help people and communities in the District with their health and wellbeing?

Councillor B Lewis, Portfolio Holder for Partnerships & Leisure, explained the many different ways in which the Council makes a tangible contribution to the health and wellbeing of the District's residents. These included promoting opportunities for exercise through its leisure facilities, protecting the most vulnerable and helping to meet the challenges of climate change in the District, which will benefit all of its residents.

Specifically, he highlighted the commitments on health and wellbeing in the new Council Plan. These commitments included work with communities to tackle issues, such as childhood obesity and lack of exercise, support for care leavers as well as children in care, tackling childhood poverty and developing an Older People's Strategy.

SUPPLEMENTARY QUESTION

In exercising her right to ask a supplementary question of Councillor B Lewis, Councillor S Cornwell asked about the future of Clay Cross Hospital and the proposed closure of the Doctors Surgery at Pilsley. She argued that these and similar closures have had an impact on some of the poorest and most vulnerable people, with a consequent serious impact on their health and wellbeing. Councillor S Cornwell suggested that the service reductions had been driven by the financial austerity policies followed by national Government.

These points were addressed by Councillor B Lewis. He highlighted the increase in health service budgets that had been announced at a national level, the extra funding made available for health and wellbeing allocated by the current administration of Derbyshire County Council as part of its budget for 2019-20 and North East Derbyshire District Council's own commitment to health and wellbeing. He agreed to provide a full written answer in relation to the detailed issues which had been raised.

212 To consider any Motions from Members 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.

(a) Motion proposed by Councillor Ross Shipman

“Council notes:

VE Day is a memorable day in our history marking the end of the Second World War. Friday, 8 May 2020 marks the 75th Anniversary of VE Day and local communities may wish to celebrate by organising events such as street parties across North East Derbyshire.

Some community events of national importance may require temporary road closures under the Town Police Clauses Act 1847, which North East Derbyshire charge £200 to administer.

Council agrees:

To waive the fee for road closures on Friday, Saturday and Sunday of VE Day weekend.

For officers to be given powers to waive such fees on other dates which have national significance where road closures may be needed”.

In presenting his motion to Council, Councillor R Shipman explained that a local community group had asked for road closure charges to be waived, so that they could celebrate the commemoration. He emphasised the importance of the VE Day commemorations to the wider community and how the proposed change would make it easier for local people to celebrate. He also suggested that, moving forward, officers should be authorised to determine whether or not to waive road closure fees on named days of special significance.

The Leader of the Council objected to the Motion. He felt that it did not provide sufficient detail about the practicalities, such as whether only properly constituted bodies, such as parish councils should be allowed to apply for road closures, the potential health and safety implications and the potential resource implications for the Council, especially in terms of officer time. He also made it clear that the Council already has a policy for waiving fees for temporary road closures and that there were no reasons for moving away from this.

The Leader of the Council made clear that the Council recognised fully the importance of the 75th anniversary celebrations. In this context, it had developed specific recommendations for the anniversary, which were set out in Item 10 on today's agenda.

Councillor N Barker, the Leader of the Labour group made it clear that his group would not support the motion. Rather, they would support the suggested approach as set out in the report at Item 10 on the agenda – NEDDC contribution to the VE Day 75th Anniversary Celebrations.

At the conclusion of the discussion a vote was taken and the motion was rejected.

In response to a query from Councillor R Shipman and Councillor D Hancock, the Chair confirmed that under the Constitution, Council could consider and determine on the recommendations in Item 10 on the agenda at this meeting.

(b) Motion proposed by Councillor David Hancock and seconded by Councillor Ross Shipman

“Council notes:

The Department of Health and Social Care definition of food poverty as “the inability to access or afford food to make up a healthy diet”.

That food poverty is a complex issue with many causes, that it can affect anyone, including many people who work and many families, even in apparently well off areas.

There is a growing problem of food insecurity in the UK, affecting as many as 8.4 million people, of which increasing reliance on food banks is one symptom.

That food banks in North East Derbyshire supply thousands of food parcels each year to local people.

The importance of local food systems and education in ensuring access to affordable sustainable and healthy food options.

Addressing food poverty may contribute to improving the health, wellbeing, education and independence of local residents; supporting the local food economy; and reducing environmental impacts.

Council therefore:

Commends the invaluable work done by local charities, churches and food banks in North East Derbyshire to support people facing food poverty and crisis.

Requests the Communities Scrutiny Panel to work with local organisations and develop recommendations for a Food Poverty Action Plan for North East Derbyshire.

Request that Cabinet initiate a Local Food Strategy for North East Derbyshire.”

In presenting his motion to Council, Councillor D Hancock highlighted the problem of 'food poverty' in the District. He argued that important as food banks are at providing help and assistance the Council needed to take a more strategic approach was required. He felt that the Community Scrutiny Committee should be asked to work with local churches and other groups that provide food banks, in order to draw up a Food Poverty Action Plan which could form the basis of a Local Food Strategy for the District.

The Leader of the Council responded to the motion. He made it clear that despite it not being a statutory responsibility, the Council had and would continue to support foodbanks in the District. He gave examples of the way in which the Council and Rykneld Homes, as its Arm's Length Management Organisation, have done this.

The Leader of the Council emphasised that one of the key objectives for the Council was to support people and to help them out of poverty. He gave examples of specific projects which had contributed to this. These included helping to create jobs, improving skills so that people were more employable and working with others to prevent homelessness. Specific mention was made of the new 'Call Before You Serve' project which was introduced under the current administration. This was intended to help prevent people from being evicted because of their rent arrears.

Cllr J Lilley made it clear that he supported the motion, but felt that it would be inappropriate to mandate the Communities Scrutiny Committee to carry on developing a Food Poverty Action Plan. This would, he argued, go against the long held principle that the Council's scrutiny committees should determine their own work programmes.

Cllr J Lilley moved an amendment to the motion to remove this provision, which Cllr D Hancock accepted.

Upon the vote the amendment to the motion, removing references to the *Communities Scrutiny Panel being requested to work with local organisations and develop recommendations for a Food Poverty Action Plan for North East Derbyshire*, was rejected.

Council then voted on the motion. Upon the vote, the motion was **REJECTED**.

- (c) Motion proposed by Councillor Alex Dale and seconded by Councillor Martin Thacker

“This Council notes:

1 in 4 people will experience a mental health problem in any given year.

The World Health Organisation predicts that depression will be the second most common health conditions worldwide by 2020.

Mental ill health costs some £105 billion each year in England alone.

People with a severe mental illness die up to 20 years younger than their peers in the UK.

This Council believes:

As a local authority we have a crucial role to play in improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.

Mental health should be a priority across all the local authority’s area of responsibility, including housing, community safety and planning.

All Councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing mental health on an individual and strategic basis.

This Council resolves:

To sign the Local Authorities’ Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, AMHP, Mind, Rethink Mental Illness, Royal College of Psychiatrists and Young Minds.

To commit to appoint an elected member as ‘mental health champion’ across the Council.

To identify a member of staff within the Council to act as ‘lead officer’ for mental health.

The Council will also:

Support positive mental health in our community, including in local schools, neighbourhoods and work places.

Work to reduce inequalities in mental health in our community.

Work with local partners to offer effective support for people with mental health needs.

Tackle discrimination on the grounds of mental health of our community.

Proactively listen to people of all ages and backgrounds about what they need for better mental health”.

In presenting his motion to Council, Councillor A Dale, emphasised how mental ill health can occur across all age and social groups. He also emphasised that the Council should seek to work with local partners to offer effective support for people with mental health needs. He hoped that all Members would support the motion and agree that the Council sign the Local Authorities’ Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, AMHP, Mind, Rethink Mental Illness, Royal College of Psychiatrists and Young Minds.

Council discussed the motion. There was strong support for its aims. Members recognised the importance of ensuring mental health and the valuable role which the Council could play in helping to support positive mental health in our community, including in local schools, neighbourhoods and work places.

During the discussion, Councillor S Pickering argued that many people suffered from mental ill health issues, because they faced stress caused by economic factors, such as low pay and poverty. He suggested that these stresses had been exacerbated by the policies of the national Government and the reductions in public spending, which had affected the most vulnerable in society. An extensive debate took place around these points and especially the action which had been taken to help those in poverty and the Council’s commitment to promoting the wellbeing of the community and of its own staff.

Councillor S Pickering proposed that the motion be amended to reflect the economic factors that can lead to mental health problems. He proposed that the following additional text be included after point three in the motion:

That the Council write to the Prime Minister, Secretary of State for Housing, Communities & Local Government and the Chancellor of the Exchequer to;

- (a) Highlight the funding pressures facing local government and to call on them to recognise the damage to society and increase mental health issues as a result of cuts to public services.*
- (b) Reinvest in our crucial public services to address the different issues which lead to mental health problems.*

In accordance with Council Procedure Rule 14.4 a recorded vote was requested by Councillors N Barker, T Reader and L Stone on the amended motion

For the Motion - 19

(Councillors N Barker, J Birkin, A Cooper, S Cornwell, J Funnel, D Hancock, L Hartshorne, E A Hill, P Holmes, M Jones, P R Kerry, J Lilley, G Morley, S Pickering, T Reader, K Rouse, R Shipman, L Stone, B Wright.

Against the amended motion - 27

(Councillors P Antcliff, K Bone, P Bone, S Clough, C Cupit, A Dale, L Deighton, P Elliott, M Emmens, A Foster, M Foster, O Gomez Reaney, R Hall, C D Huckerby, J Kenyon, B Lewis, H Liggett, P Parkin, M Potts, A Powell, C Renwick, M Roe, D Ruff, M E Thacker MBE, R Welton, N Whitehead and P Wright.

The amended motion was **DEFEATED**.

Councillor D Hancock then moved a further amendment to the motion, seconded by Councillor R Shipman that:

The Council should adhere to the Health & Safety Executive (HSE) Management Standards and to ensure that a minimum standards in provision of Health & Wellbeing is maintained across the Council.

The amendment was debated. Following on from this, Council voted on the amended motion. Upon the vote the amended motion was **DEFEATED**.

Council then voted on the motion. In accordance with Council Procedure Rule 14.4 a recorded vote was requested by Councillors A Dale, M E Thacker MBE and B Lewis.

For the Motion – 46

(Councillors W Armitage, N Barker, J Birkin, K Bone, P Bone, S Clough, A Cooper, S Cornwell, C Cupit, A Dale, L Deighton, P Elliott, M Emmens, A Foster, M Foster, J Funnell, O Gomez Reaney, R Hall, D Hancock, L Hartshorne, E A Hill, A Holmes, C D Huckerby, M Jones, J Kenyon, P R Kerry, B Lewis, H Liggett, J Lilley, G Morley, P Parkin, S Pickering, M Potts, A Powell, T Reader, C Renwick, M Roe, K Rouse, D Ruff, R Shipman, L Stone, M E Thacker MBE, R Welton, N Whitehead, B Wright and P Wright).

The Council was **UNANIMOUS** in accepting the motion.

213 NEDDC Contribution to the VE Day 75th Anniversary Celebrations

Council considered a report of Councillor M E Thacker MBE, Leader of the Council, which advised Members of the Council's planned contributions to the celebration of the 75th anniversary of VE (Victory in Europe) Day.

Members were reminded that Friday 8 May 2020 had been designated as a Bank Holiday. This had been done to enable as many as possible to celebrate the anniversary. Many events were likely to take place both on the Bank Holiday and across the weekend. The report explained that in order to avoid clashes with local events on 8 May, the Council intended to organise two civic events on Saturday 9 May 2020. One of these would be organised in a parish in the northern part of the District. The other would be organised in a parish in the

southern part of the District.

The report also proposed that the Council should draw up a list of dates of national significance, which would warrant consideration of waiving fees for road closures. Subject to Member agreement, the proposed list would be submitted to Council at its next meeting for approval.

Members discussed the report. There was general agreement that the Council should support the VE Day 75th anniversary celebrations.

RESOLVED – That Council:-

- (1) Notes the plans to celebrate the VE Day 75th Anniversary.
- (2) Approves to support the publicity and waiving of road closure fees for officially registered VE Day 75th Anniversary celebration events within the District.
- (3) Approves the establishment of a list of dates of national significance for celebration for the civic year, to be confirmed at the next Council meeting, and then reviewed on a regular basis as dates arise. This will inform officers of which dates to consider for waived fees for temporary road closures.

214 Council Plan

Council considered a report of M E Thacker MBE, Leader of the Council on the draft Council Plan. Members were reminded that this report had been considered by Cabinet on 5 September 2019. Cabinet supported the draft Council Plan and had recommended it to Council for approval.

The Joint Strategic Director – Place gave a presentation on the draft Plan. In particular, she explained that the previous Corporate Plan, for 2015-19 had now come to the end of its lifespan and so would have to be replaced. Work had taken place on developing its replacement, to be called the Council Plan, for 2019-2023. The Council Plan reflected the goals and priorities of the new Administration, (which took office in May 2019) around enhancing the quality of life for residents, promoting and protecting the character of the District, delivering high quality cost effective services and growing the local economy.

The Joint Director then informed Members of the extensive consultation, which had taken place across the District, on the draft Council Plan. Council heard that a wide range of comments had been submitted as part of this consultation. These included comments on climate change, development within the District and combatting anti-social behaviour.

Council discussed the draft Council Plan. Questions were asked about how specific projects would fit into the Plan. One of the projects highlighted was the replacement for the Sharley Park Leisure Centre in Clay Cross.

At the conclusion of the discussion, Council indicated its support for the draft Council Plan.

RESOLVED - That Council approves and adopts the Council Plan 2019-2023, as appended to the report.

215 Draft Organisational Policies

Council considered a report of Councillor A Dale, Deputy Leader of the Council and Portfolio Holder for Council Services. The report sought approval of Council for organisational policies related to:

- Capability
- Probation
- Disclosure and Barring Services
- Learning and Development
- Smoke Free and Vaping

Members were informed that the trade unions had been consulted on the proposed policies and that they had been approved by the Joint Consultative Group (JCG).

Council discussed the proposed policies. In particular, Members discussed the grounds when Council staff would be able to request others to not smoke for a period of time before they visited them in their homes or properties. The suggested approach being developed was outlined by the Human Resources and Organisational Development Manager.

RESOLVED – That the Draft Organisational Policies be approved.

216 Chair's Urgent Business

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