

Public Document Pack



**North East
Derbyshire**
District Council

Our Ref: NC/AJD
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Date: Friday, 25 September 2020

To: **All Members of the Council**

You are summoned to attend an extraordinary meeting of the Council to be held on **Monday, 12 October 2020 at 3.00 pm**. Access credentials to the meeting will be sent to you under separate cover. This meeting will be audio-live streamed to the website via YouTube.

Group meetings will be arranged, where necessary, by the Group Leaders.

Virtual Attendance and Hybrid Meetings

I have provided the Leader and Deputy Leader with advice on the holding of “hybrid” meetings outlining the risks including to employees dealing with the Chamber and to Members. Hybrid meetings are those where some attendance is in person in the Council Chamber and some is virtual. I would encourage you all to attend virtually. Accordingly if you attend in person you will be deemed to have accepted the following disclaimer as applying.

Risk Assessment Disclaimer

When attending this meeting in person, I confirm that I have read and understood the contents of each of the following risk assessments and agree to act in line with its content.

- ☐ RA – Return to Work Mill Lane Covid 19 V9
- ☐ Mill Lane Coronavirus Control Measures V4

Both documents have been emailed to Members and are available on the Modern.Gov App library.

The same advice is given to officers who are also encouraged to participate in the meeting remotely.

Yours sincerely

A handwritten signature in cursive script that reads "Sarah Steuberg".

Joint Head of Corporate Governance and Monitoring Officer

A G E N D A

1 Apologies for Absence

2 Declarations of Interest

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

3 Consideration of Requisition to Enact Article 5, Paragraph 5.1 (c) (iv) - Leader of the Council (Pages 3 - 6)



***We speak
your language***

Polish
Mówimy Twoim językiem

French
Nous parlons votre langue

Spanish
***Hablamos su
idioma***

Slovak
***Rozprávame Vaším
jazykom***

Chinese
我们会说你的语言

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us on

**01246
217753**

If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

We, the 5 undersigned members of NEDDC requisition the Chair of the Council to call an extraordinary meeting of the Council in accordance with Part 4, paragraph 3.1 of the council constitution to consider the resolution detailed below.

Signed.

(Received electronically from Cllrs Barker, Kerry, Rouse, Barry, B Wright – verified and accepted as electronically signed by N Calver Governance Manager)

Resolution

Council notes and supports the decision of all councils in Derbyshire to participate in the Vision Derbyshire initiative.

Council supports the principle in Vision Derbyshire that a two-tier system of local government, with councils working closely together, is the preferred structural solution for delivering on the proposed White Paper's agenda of reducing regional inequalities.

Council notes the decision of Derbyshire County Council at its meeting on 16th September 2020 to write to the Secretary of State to submit a proposal for a single tier of local government for the county and to mandate its officers to prepare a case in support of a single unitary authority.

Council believes that the creation of a unitary authority is not in the interests of N E Derbyshire residents and opposes the creation of a unitary authority. Council mandates officers within the council to prepare a case for the retention of NEDDC as part of a two-tier structure of local government.

Council also notes that the Leader of this council, in his role as a Cabinet Member at Derbyshire County Council, supported the proposal to create a unitary authority in Derbyshire.

Council resolves to exercise its power pursuant to Article 5, paragraph 5.1.(c)(iv) to remove from office the current Leader of the Council and to proceed to elect a new Leader, who will safeguard the future of NEDDC, for the remaining term of this council in accordance with paragraph 5.1 (a).

Article 5 – The *Leader of the Council* and the *Cabinet*

This article explains how the *Leader of the Council* is appointed and what they do. The *Leader of the Council* is the *Councillor* who is the political head of the Council.

It also explains and provides links to how the *Cabinet* works and what it does.

The *Cabinet* is a group of *Councillors* who work with Council staff to run the Council and take most decisions except those about major policy issues or setting the annual budget (which only the *Council Meeting* can do) or decisions on whether to give planning permissions or licenses which only the regulatory committees can do.

5.1 *Leader of the Council*

(a) Appointment

The *Council Meeting* will elect a *Councillor* to be the *Leader of the Council* for a four year term.

(b) Role

The *Leader of the Council* will normally chair meetings of the *Cabinet*, will lead in the formulation, co-ordination and presentation of the *Cabinet's* policies and liaise with the *Council's Management Team* on the carrying out of policies by the Council.

(c) Stopping being Leader of the Council

The *Leader of the Council* will stay as the *Leader of the Council* until:

- (i) they resign from office;
- (ii) they are suspended from being a *Councillor* although they may resume office at the end of the period of suspension;
- (iii) they are no longer a *Councillor*, or
- (iv) they are removed from office by resolution of the *Council Meeting*.

(Within the legislation there is a requirement for the Leader to nominate a Deputy Leader and provisions for the Deputy Leader to act in the intervening period until Council appoints a replacement Leader if the Leader is unable to do so or the post of Leader becomes vacant)

5.2 The *Cabinet*

(a) Role

The *Cabinet* will carry out all functions of the Council which are not the responsibility of another part of the Council, whether by law or under the *Functions Scheme*.

(b) Membership

The *Cabinet* will consist of the *Leader of the Council* and two or more *Councillors* (up to a maximum of 10 including the Leader) appointed by the *Leader*.

(c) Functions of individual members of the *Cabinet*

The *Leader of the Council* will decide what functions will be carried out by individual members of the *Cabinet*. The *Leader of the Council* will notify the *Monitoring Officer* of these functions in writing. The *Monitoring Officer* will make sure that they are set out in the *Functions Scheme*.

(d) Meetings of the *Cabinet*

Meetings of the *Cabinet* must follow the *Cabinet Rules*.