

COUNCIL

MINUTES OF MEETING HELD ON MONDAY, 11 JANUARY 2021

Present:

Councillor Pat Antcliff (Chair) (in the Chair)
Councillor Martin E Thacker MBE JP (Vice-Chair)

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| Councillor Nigel Barker | Councillor Jayne Barry |
| Councillor William Armitage | 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 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 Kathy Rouse |
| Councillor Diana Ruff | Councillor Ross Shipman |
| Councillor Kevin Tait | Councillor Richard Welton |
| Councillor Nick Whitehead | Councillor Pam Windley |
| Councillor Brian Wright | Councillor Philip Wright |

Also Present:

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| G Callingham | Director of Growth and Economic Development |
| K Hanson | Joint Director of Environment and Enforcement |
| L Hickin | Joint Director of Corporate Resources and Head of Paid Service |
| J Dethick | Head of Finance and Resources, Section 151 Officer |
| S Sternberg | Joint Head Of Service - Corporate Governance & Monitoring Officer |
| N Calver | Governance Manager |
| M E Derbyshire | Members ICT & Training Officer |
| A Maher | Senior Governance Officer |

COU/73/ Apologies for Absence 20-21

Apologies for absence were received from Councillors C D Huckerby, J Ridgway, M Roe and L Stone.

**COU/74/
20-21** **Declarations of Interest**

Councillors K Bone, P Bone, S Clough, M Potts and N Whitehead declared an interest in Item 14 (Killamarsh Sports Centre) and confirmed that they would withdraw from the meeting during Council's consideration of it.

**COU/75/
20-21** **Minutes of Previous Meetings**

RESOLVED – That the minutes of the meetings held on 12 October 2020 and 11 November 2020 were approved as a true record (by acclamation).

**COU/76/
20-21** **Chair's Announcements**

The Chair of the Council, Councillor P Antcliff, informed Members of her charitable fund-fund raising work during recent weeks.

RESOLVED - That Council noted the announcements of the Chair of the Council, Councillor P Antcliff (by acclamation).

**COU/77/
20-21** **Leader's Announcements**

The Leader of the Council, Councillor A Dale, expressed his continuing thanks to the Council's staff and the staff of Rykneld Homes Limited (RHL) for all their hard work in adapting and responding to the challenges of the Coronavirus (Covid-19) outbreak.

The Leader of the Council reiterated his thanks for the contribution made by Councillors from all political groups in helping the Council respond effectively to the virus outbreak. In particular, he emphasised the valuable contribution which the cross-party VIPER meetings had continued to make in helping support North East Derbyshire and its communities.

Councillor A Dale explained how the Council had worked to support vulnerable people during the virus outbreak. In this context he thanked those who had supported the Care at Christmas appeal, which aimed to provide presents for young people in residential accommodation. He also explained how the Council was helping the Coronavirus (Covid 19) vaccination programme to take place. It was currently exploring how additional Council owned venues might be used for this, in order to speed up the delivery of vaccinations to local people.

Members heard about the support offered to to local businesses affected by the outbreak. In particular, he explained that £1.3M of grant aid had been allocated to businesses since the District had first entered into the Coronavirus 'Tier Two' restrictions, in October 2020.

RESOLVED – That Council noted the announcements of the Leader of the Council, Councillor A Dale (by acclamation).

**COU/78/
20-21** **Public Participation**

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

**COU/79/
20-21** **Annual Audit Letter**

Council considered the Annual Audit letter for the 2019-20 financial year from its external Auditors. The Portfolio Holder for Finance, Councillor Paul Parkin, explained the work which the Auditors had carried out during the year and how they had given an ‘unqualified opinion’ on the way in which the Council had managed its finances. In particular, the Auditors had identified no significant financial risks and concluded that proper arrangements had been in place to secure economy, efficiency and effective use of resources during the year.

RESOLVED – That Council noted the Audit letter prepared by its external Auditors for the 2019-20 year (by acclamation).

**COU/80/
20-21** **Mental Health Strategy**

Members received an update report from Councillor D Ruff, the Council’s Elected Member Mental Health Champion, on the work of the Mental Health Action Group and what it had done to promote mental health.

Council discussed the report. In particular, Members considered the role of the newly-trained Mental Health First Aiders. They also discussed how Councillors might contribute to the Mental Health Action Group by sharing their own experiences of dealing with people with mental health issues.

Members considered how the Council could work with other organisations to ensure greater support, especially on more complicated mental health issues, to both its own staff and to the wider community. Members were keen to explore how they and might be able to help identify potential problems, so that appropriate support could then be provided. They noted that this would be similar to the role which Members already played in identifying safeguarding issues involving adults and young people.

At the conclusion of the discussion, Council made clear that it welcomed the work of the Mental Health Action Group in promoting and addressing mental health issues and looked forward to further progress.

RESOLVED – That Council noted the progress of the Mental Health Action Group (by acclamation).

**COU/81/
20-21** **Vision Derbyshire**

Councillors N Barker, A Dale, A Foster, and B Wright declared interest in this issue as Members of Derbyshire County Council. They indicated that they would remain in the meeting during Council’s discussion and determination on it. Councillor B Lewis also declared an interest in this issue as a Member of Derbyshire County Council. He indicated that he would remain in the meeting during the Council’s discussion and then decide on whether or not to take part in any vote.

Members were reminded of how the Council, in co-operation with the other district and borough local authorities in the County, had sought to develop a new

collaborative approach for future joint working between councils across Derbyshire. This collaborative approach, it was explained, would enable them to focus on their collective ambitions, without requiring any changes to the existing structure of local government. In this respect it differed from proposals made by other authorities, which if accepted would fundamentally alter the structure of Derbyshire local government.

Members discussed extensively 'Vision Derbyshire'. Support was expressed for its collaborative approach and the proposed key ambitions identified by the district councils. Some Members made it clear that they hoped the approach would be developed further and supported by the Government.

Council noted that Ministers intended to publish a White Paper on 'Devolution and Local Recovery', possibly in the Spring. This White Paper was expected to set out proposals for local government reform in England. It was explained that in advance of this, Ministers had been asked to support the Vision Derbyshire approach, as an alternative to structural changes to local government in the County.

Members were assured that any proposed structural changes set out in the White Paper affecting the District would be submitted to Council for consideration.

Councillor A Dale and Councillor C Cupit moved and seconded the recommendations as set out in the report.

The motion was put to the vote and was carried.

RESOLVED -

- (1) That Council noted the progress and work which had taken place with Derbyshire Councils on the development of Vision Derbyshire – as a new collaborative approach to delivering non-structural reform across Derbyshire.
- (2) That Council noted the Government's plans to publish a White Paper on Devolution and Local Recovery and the potential implications for local government reform in Derbyshire, as well as the more recent announcement from the Secretary of State for Housing, Communities and Local Government in relation to local government reform, as set out in the report.
- (3) That Council authorised the Leader and Joint Director of Corporate Resources and Head of Paid Service to engage in further discussions at local, regional and national level to support and enable the full development of Vision Derbyshire as a concept and possible option for non-structural local government reform in Derbyshire, as an alternative to 'unitarisation'.
- (4) That if not supported by Government, the Council would maintain that now is not the time for structural reform of local government in Derbyshire.

- (5) That Council asked the Leader and Director of Corporate Resources to prepare update reports for Council, as required, on Vision Derbyshire, the Government's White Paper on Devolution and Local Recovery, when published, and on details of any alternative proposals as they arise.
- (6) That any commitments to Vision Derbyshire or any other related proposals be subject to a further decision of Council.

**COU/82/
20-21** **Emergency Delegations**

Council considered a report on decisions made under the Council's scheme for Emergency Delegations since March 2020 in response to the Coronavirus (Covid-19) outbreak. The report listed the decisions which had been taken under these delegated powers. It explained that one of the first decisions taken was to extend the delegations in order to ensure the normal business of the Council could continue in the absence of formal Member meetings, as a result of the Coronavirus (Covid-19) lockdown restrictions.

Council was informed that there was no legal or constitutional requirement to report these decisions, but that they had been made available on the website, should Members wish to consider them.

Council discussed the report. As part of this, Members considered and expressed concern about the delays in presenting the information on Delegated Decisions. As part of this, they highlighted specific decisions. Council also heard of the difficulties which some Members had experienced in accessing decision documents, using the electronic links provided.

Councillor A Dale and Councillor C Cupit moved and seconded the recommendations as set out in the report.

The motion was put to the vote and was carried.

RESOLVED - That Council noted the decisions made under emergency delegated powers.

**COU/83/
20-21** **To answer any questions from Members asked under Procedure Rule No 9.2**

There were no questions from Members under Procedure Rule No. 9.2

**COU/84/
20-21** **To consider any Motions from Members under Procedure Rule No 10**

Motion submitted by Councillor Suzy Cornwell

Members considered a motion submitted by Councillor S Cornwell calling for the Council to install new signage on its accessible toilets, to make clear that people with invisible disabilities, such as those with Crohn's disease, were entitled to use them.

Council discussed extensively the motion. Members made it clear that they supported its aims. They felt strongly that all those with invisible disabilities, including people with Crohn's Disease and Colitis, should also be able to use

accessible toilets without any fear of stigma, in the same way that those with visible disabilities can do.

Council discussed the timescales and the way in which the revised signage could be put in place. In order to help get over the message that access toilets were also intended for use by people with invisible disabilities, Councillor P Windley asked that any new signs be displayed at a height easily visible to those in wheel chairs. Councillors S Cornwell and N Barker agreed to incorporate this suggestion into the motion.

The revised motion (changes underlined) was:

This Council notes that:

- *The charity Crohn's and Colitis UK is encouraging venues providing accessible toilets to install new signage. This is to help stop stigma and discrimination towards people with Crohn's Disease and Ulcerative Colitis and other invisible conditions.*
- *There have been instances nationally where such individuals using an accessible toilet have been accused by staff members of being ineligible to use them.*
- *The charity signs have two standing figures and a wheelchair user with the words Accessible Toilet and the logo 'Not every disability is visible'.*

The Government has decided recently that large accessible toilets for severely disabled people - known as Changing Places - will be made compulsory for large new buildings, such as shopping centres, supermarkets, sports and arts venues

Council resolves to:

- *Ensure that accessible toilets on Council premises bear these signs displayed at a height easily visible to those in wheelchairs.*
- *Ask town and district centre retailers and leisure outlets to do likewise with their accessible toilets displayed at a height easily visible to those in wheelchairs.*
- *Seek advice from the charity Crohn's & Colitis UK on the information and training we should provide to council staff members. This is so they understand these conditions and to prevent potential embarrassment for those who suffer with them.*
- *Ensure that any Changing Places toilets in our buildings are properly signposted for visitors.*

Councillor S Cornwell and N Barker moved and seconded the motion. The motion was put to the vote and carried unanimously by Council.

**COU/85/
20-21** **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 Paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006).

**COU/86/
20-21** **Killamarsh Leisure Centre**

Councillors K Bone, P Bone, S Clough, M Potts and N Whitehead left the meeting during Council's consideration of this item.

Council received a report from Councillor J Kenyon, Portfolio Holder for Leisure, Transformation and Climate Change, on the future of the Killamarsh Sports Centre. This set out Cabinet's preferred approach on the future operation of the centre. Members considered the report, discussed the Cabinet's preferred approach and other possible options.

At the conclusion of the discussion Councillor J Kenyon and Councillor A Dale moved and seconded the recommendations as set out in the report.

At the request of three Members, (Councillor O Gomez Reaney, M Foster and K Tait) a recorded vote was called for.

The motion was put to the vote and was carried.

For the motion: 24

Councillors P Wright, R Welton, M Thacker, K Tait, D Ruff, C Renwick, A Powell, P Parkin, H Liggett, B Lewis, J Kenyon, A Hutchinson, O Gomez Reaney, J Funnell, M Foster, A Foster, M Emmens, P Elliot, L Deighton, A Dale, C Cupit, A Cooper, W Armitage and P Antcliff.

Against the motion: 3

Councillors P Windley, R Shipman and D Hancock.

Abstained: 15

Councillors B Wright, K Rouse, T Reader, S Pickering, G Morley, J Lilley, P Kerry, M Jones, P Holmes, E Hill, L Hartshorne, S Cornwell, J Birkin, J Barry and N Barker.

RESOLVED -

- (1) That Council note the decision of Cabinet and the recommendations to be presented to Council in February 2021.

- (2) That Council supported Cabinet's decision and the impending recommendations for its implementation.

**COU/87/
20-21** **Senior Management Review**

Councillors K Bone, P Bone, S Clough, M Potts and N Whitehead re-entered the meeting at this point.

The relevant senior officers left the meeting during Council's consideration of this item.

Members were reminded that in March 2020 Council agreed to a new Senior Management Structure. As part of its decision, Council requested a further review be undertaken to assess the effectiveness of the new structure. The report of Councillor A Dale, Leader of the Council, explained what progress had been made with this review and made specific follow-on recommendations relating to senior posts.

During the discussion Councillor N Barker suggested that the proposed report on the future of the role of the Head of Paid Service post be submitted to Council before the end of the current municipal year. Councillor A Dale agreed that this be incorporated into the motion.

Councillor A Dale and C Cupit moved and seconded the motion:

The motion was put to the vote and was carried.

RESOLVED -

- (1) That the Council agree to continue with the current Senior Management arrangements, which had in place since March 2020
- (2) That Council agreed the specific proposals relating to the senior post holders identified in the report.
- (3) That a further report be presented to Council before the end of the current municipal year on the role of the Head of Paid Service.

**COU/88/
20-21** **Chair's Urgent Business**

Members discussed the ways in which the Chair's charitable appeal and other activities could be promoted by the Council.