

## COUNCIL

### MINUTES OF THE ANNUAL MEETING HELD ON MONDAY, 20 MAY 2024

#### **Present:**

Councillor Gerry Morley (Chair) (in the Chair)  
Councillor Christine Smith (Vice-Chair)

Councillor Frank Adlington-Stringer	Councillor Pat Antcliff
Councillor Neil Baker	Councillor Nigel Barker
Councillor Joseph Birkin	Councillor David Cheetham
Councillor Kathy Clegg	Councillor Stephen Clough
Councillor Andrew Cooper	Councillor Alex Dale
Councillor Lilian Deighton	Councillor Michael Durrant
Councillor Stuart Fawcett	Councillor Mark Foster
Councillor Christine Gare	Councillor Kevin Gillott
Councillor David Hancock	Councillor Lee Hartshorne
Councillor Daniel Higgon	Councillor Pam Jones
Councillor William Jones	Councillor Pat Kerry
Councillor Carol Lacey	Councillor Tony Lacey
Councillor Heather Liggett	Councillor Nicki Morley
Councillor Fran Petersen	Councillor Stephen Pickering
Councillor Stephen Reed	Councillor Michael Roe
Councillor Kathy Rouse	Councillor Ross Shipman
Councillor Derrick Skinner	Councillor Caroline Smith
Councillor Mick Smith	Councillor Richard Spooner
Councillor Lee Stone	Councillor Kevin Tait
Councillor Martin E Thacker MBE JP	Councillor Richard Welton
Councillor Helen Wetherall	

#### **Also Present:**

L Hickin	Managing Director - Head of Paid Service
M Broughton	Director of Growth and Assets
J Dethick	Director of Finance and Resources & (Section 151 Officer)
S Sternberg	Assistant Director of Governance and Monitoring Officer
A Maher	Governance Manager
N Ellis-Hall	Temporary Senior Governance Officer
T Scott	Governance and Scrutiny Officer
J Hayden	Senior Scrutiny Officer

#### **COU Election of the Chair of the Council**

**/1/24**

**-25**

The retiring Chair of the Council, Councillor M Thacker MBE, called for nominations for the election of a new Chair of the Council for the 2024-25 Municipal Year. Councillor N Barker and Councillor P Kerry moved and seconded a Motion that Councillor G Morley be elected as Chair of the Council. The Motion was put to the vote and was agreed.

RESOLVED – That Councillor G Morley be elected Chair of the Council for the 2024/25 Municipal Year (by acclamation).

**COU** **Address of Gratitude to Members by the Newly Elected Chair of the Council**

**/2/24**

**-25**

Councillor G Morley accepted his election as Chair of the Council. He thanked Members for the honour which they had given him and for the opportunity as Chair to both serve the Council and to help communities throughout the District.

The Chair of the Council explained how he would aim to support a range of community groups and local initiatives through his Charitable Appeal, rather than support just one worthy organisation. Many of these community groups, he stated, would benefit from receiving even small amounts of financial assistance. Councillor G Morley made clear that he intended to donate his Special Responsibility Allowance as Chair in order to help provide this support. He would also seek to raise funds throughout his term of office to help ensure that these groups continued to receive ongoing financial assistance.

**COU** **Address of Gratitude to the Outgoing Chair of the Council**

**/3/24**

**-25**

The Chair of the Council, Councillor G Morley thanked the retired Chair, Councillor M Thacker MBE, for his services to the Council and the District during his term of office. He stressed that he had carried out his role with fairness and dignity. He mentioned the work and effort which Councillor Thacker had put in to raising funds for the Ashgate Hospice through his charitable appeal.

The Leader of the Conservative Group, Councillor A Dale, thanked Councillor M Thacker MBE for carrying out his duties as Chair of the Council so effectively and for his hard work in raising funds for Ashgate Hospice.

Councillor D Hancock thanked Councillor M Thacker MBE and praised his role as Chair of the Council. Councillor H Wetherall also expressed her gratitude to Councillor M Thacker MBE as Chair of the Council for the lessons which she had learned from him in helping to carry out her role as a new Councillor.

The Leader of the Council, Councillor N Barker, thanked Councillor M Thacker MBE for his service as Chair of the Council and congratulated him on the funds which he had raised for his charitable appeal.

Councillor M Thacker MBE thanked Members for their kind words. He stressed that it had been a privilege to serve as Chair of the Council, in the fiftieth anniversary year since it was established. He highlighted his involvement in the community during the year and specific events which he had attended as Chair. He also highlighted the £55,000 which had been raised through his charitable appeal in support of Ashgate Hospice. He thanked his Appeal Committee, Elected Members, officers of the Council, the District and Parish Councils and the staff of Rykneld Homes Limited for their assistance in this. He thanked his consort, Jean Spencer for her help and support during this year of office and during his previous period as Chair, in 2021-22.

Councillor G Morley presented Councillor M Thacker MBE with the Past Chair of the Council medal as a token of appreciation.

RESOLVED – That Councillor M Thacker be thanked for carrying out the office of Chair of the Council during the 2023-24 Municipal Year (by acclamation).

**COU** **Apologies for Absence**

**/4/24**

**-25** Apologies for absence were received from Councillors J Barry, G Baxter MBE, R Beech, S Cornwell, C Cupit, P Elliott, M Emmens, M Fletcher, C Renwick, and P Windley.

**COU** **Declarations of Interest**

**/5/24**

**-25** There were no declarations of interest.

**COU** **Minutes of the Last Meeting**

**/6/24**

**-25** RESOLVED – That the Minutes of the meeting held on Monday, 4 March 2024 were approved as a true and accurate record (by acclamation).

**COU** **Election of the Vice-Chair of the Council**

**/7/24**

**-25** Councillor N Barker and Councillor P Kerry moved and seconded a Motion that Councillor Christine Smith be appointed as Vice Chair of the Council for the 2024-2025 Municipal Year.

Councillor Christine Smith gave thanks to Members for her nomination.

RESOLVED – That Councillor Christine Smith be appointed Vice Chair of the Council for the 2024-2025 Municipal Year (by acclamation).

**COU** **Composition of the Cabinet**

**/8/24**

**-25** The Leader of the Council, Councillor N Barker, informed Council of the Cabinet Members and their Portfolios, appointed for the 2024-25 Municipal Year.

Councillor N Barker

Leader and Portfolio Holder for Strategic Leadership and Finance

Councillor P Kerry

Deputy Leader and Portfolio Holder for Strategic Leadership and Finance

Councillor J Birkin

Portfolio Holder for Council Services

Councillor J Barry

Portfolio Holder for Growth and Assets

Councillor S Pickering

Portfolio Holder for Environment and Place

Councillor K Rouse  
Portfolio Holder for Health and Leisure

RESOLVED – That Council noted the composition of the Cabinet for the 2024/2025 Municipal Year.

**COU** **Proportionality of the Council and Appointments to Committees**

**/9/24**  
**-25**

Members considered the proposed appointments to Committees. The report to Council set out the nominations of the Majority (Labour) Group. In addition to these the Leader of the Labour Group, Councillor N Barker, nominated Councillors M Smith and K Clegg to serve as Substitute Members on the Planning Committee.

With the agreement of the Chair, the Leader of the Conservative Group circulated the nominations of his Group.

On behalf of the Liberal Democrat Group, Councillor D Hancock confirmed that Councillor P Windley had been nominated to serve on the Business Scrutiny Committee.

On behalf of the Independent Group, Councillor H Wetherall confirmed her nomination to serve on the Standards Committee and for Councillor A Cooper to serve on the Planning Committee.

Councillor N Barker and Councillor P Kerry moved and seconded a Motion to approve the proposed appointments. The motion was put to vote and was agreed.

RESOLVED –

- (1) That the Committees of Council as set out in the report be retained for the 2024-25 Municipal Year.
- (2) That the size of the Committees as set out in Appendix 1 to the report be agreed for the 2024-25 Municipal year, in accordance with the Council Procedure Rules.
- (3) That the proposed appointment to Committees as set out in Appendix 1 to the report and updated at the meeting be agreed. (by acclamation).

**COU** **Appointment of Chairs and Vice-Chairs of Committees**

**/10/2**  
**4-25**

Council considered a report on the appointment of elected Members to serve as the Chairs and Vice Chairs of the Council's Committees for the 2024/25 Municipal Year. The nominations from the Majority (Labour) Group were set out in the report. The report made clear that the Majority Group sought nominations from the Conservative Group and the Independents Group for named Vice Chair positions.

The Leader of the Conservative Group, Councillor A Dale, nominated Councillor N Baker to serve as Vice Chair of the Services Scrutiny Committee and Councillor W Jones to serve as Vice Chair of the Business Scrutiny Committee.

RESOLVED – That Council appoint the nominated elected Members to serve as the Chair and Vice Chairs of the specified Council Committees (by acclamation).

**COU** **Schedule of Meetings for the 2024-25 Municipal Year**

**/11/2**

**4-25**

Council was asked to agree the proposed schedule of meetings for the 2024-25 Municipal Year.

Councillors N Barker and P Kerry proposed that the schedule of meetings be adopted. The motion was put to the vote and was agreed.

RESOLVED – That Council approved the proposed Schedule of Meetings for the 2024-25 Municipal Year (by acclamation).

**COU** **Appointment of the Council's Representatives to serve on other organisations (Outside Bodies) - NOW PUBLISHED**

**/12/2**

**4-25**

The report to Council set out the proposed appointments to serve on other organisations (Outside Bodies) for the 2024/25 Municipal Year. It was proposed that the existing appointments be confirmed, but that Councillor D Skinner be nominated to serve on the Stonebroom Community Association, in place of the existing appointee, who was not an elected Member of the Council.

Councillors N Barker and P Kerry moved and seconded a Motion that the proposed nominations be approved.

RESOLVED – That Council appoint the nominated elected Members to serve as its representatives on other organisations for the 2024-25 Municipal Year (by acclamation).

**COU** **Review of the Council's Constitution**

**/13/2**

**4-25**

Members were asked to approve the proposed Constitution of the Council for the 2024-25 Municipal Year. This had been produced following an extensive review by the Standards Committee. The purpose of this review, it was explained, was to make sure that the Constitution remained up to date, that it was compliant with legislation and provided the appropriate rules to ensure the good governance of the Council. Following on from the review, Standards Committee had agreed a range of specific changes, which Council was now asked to agree.

Members discussed the report. Councillor A Dale made clear that he did not support some of the proposed changes. He highlighted Section 10, Council Procedure Rules, Rule 8, the changes to Questions by the Public, which he felt would prevent those who were 'Carers' for people living in the District from being able to ask questions. He also highlighted the change to Section 16, Members Planning Rules, which would preclude Planning Committee Members from determining on Planning Applications located within their wards.

Councillor M Foster also indicated that he would not support the change to

exclude members from determining planning applications in their own Ward. He contended that that this would place the wards which they represent in a worse position than those wards which did not have Councillors serving on Planning Committee.

Councillor D Hancock expressed similar concerns about the impact of the proposed changes on public speaking at Council meetings and indicated that he would not support the proposed Constitution. Councillor R Shipman made clear that he too would not support the proposed Constitution for similar reasons. Councillor S Reed argued that businesses located outside of the District but which operated within North East Derbyshire, ought to be allowed to ask questions.

Councillor R Welton raised concerns about the proposed change for the Monitoring Officer to make non contentious appointments to committees in the event that vacancies arose, which he felt might involve the post holder in political decisions.

The Chair of Standards Committee, Councillor K Gillott, explained the reasons for the proposed changes and their intended benefits to the Council. He made clear that the Standards Committee would continue to review the Constitution as part of its work programme for the year. The concerns raised at the meeting would be addressed as part of this, And in particular, what the actual experience of the changes had been and whether, as a consequence, they needed to be revisited.

At the conclusion of the discussion, Councillors N Barker and J Barry proposed and seconded a Motion to approve the proposed Constitution.

The Motion was put to the vote and was approved.

#### **RESOLVED -**

- (1) That following on from the review carried out by Standards Committee Council approves the proposed Constitution for the 2024-25 Municipal Year
- (2) The Standards Committee be asked to undertake a further review of the Constitution, as part of its annual work programme for the 2024-25 Municipal Year and to make any recommendations for change to Council, as appropriate.
- (3) That the Monitoring Officer exercises their Delegated powers to make changes to the Constitution arising from any new legislation, administrative errors, or conflicts in interpretation during the course of the Municipal Year, in consultation with the Chair of Standards Committee, as appropriate.

#### **COU Scheme of Delegation**

**/14/2**

**4-25**

Council considered the Scheme of Delegation as outlined in Section 22 of the Council's Constitution.

Councillors N Barker and P Kerry moved and seconded a motion to approve

Officers recommendations as set out in the report.

RESOLVED – That Council approved the Scheme of Delegation as set out in the Council's Constitution (by acclamation).

**COU** **Operation of Urgency Rules and Thresholds for Key Decisions**

**/15/2**

**4-25**

Council received the report on Operation of Urgency Rules and Thresholds for Key Decisions for consideration. Members were informed of the proposed changes to increase the financial thresholds of Key Decisions, in order to take into account the impact of inflation on them.

Councillors N Barker and P Kerry proposed and seconded a motion to approve officer recommendations as contained in the report.

RESOLVED – That Council:

- 1.1 Noted that no decisions had been taken over the past 12 months under Special Urgency rules in the Council's Access to Information Rules.
- 1.2 Noted that no decisions had been taken over the past 12 months under the urgency provisions (called General Exception) in the Council's Access to Information Rules.
- 1.3 Agreed that the financial thresholds for Key Decisions be raised to £125,000 (Revenue) and £310,000 (Capital).

(By acclamation)

**COU** **Chesterfield Football Club - Return to the English Football League**

**/16/2**

**4-25**

Council was reminded that Chesterfield Football Club had returned to the English Football League and that it had done so as National League Champions. The National League Trophy had been placed in the Council Chamber as part of a programme of displaying it across communities in North East Derbyshire.

Council welcomed K Jackson, the Deputy Chief Operating Officer of Chesterfield Football Club, who explained the work of the Community Trust in working with and supporting local communities. He highlighted its work with young people, the Armed Forces community and those experiencing mental health issues.

The Leader of the Council, Councillor N Barker, thanked the Club and Community Trust for its work and on how successful it had been in engaging with local communities. It was, he stated, truly a community club.

Councillor M Thacker congratulated the club on its return to the English Football League and its work with and to support local communities. Councillor H Wetherall welcomed the support which the Community Trust provides to children and young people, including those who are or who have been in care.

At the conclusion of the discussion agreed to formally thank the Club and the Community Trust for their success and hard work.

**RESOLVED** –

- (1) That Chesterfield Football Club is congratulated for its success in returning to the English Football League as National League Champions.
- (2) That the Community Trust be congratulated and thanked for the work which it does to support communities and people across North Derbyshire.

**COU Chair's Urgent Business**

**/17/2**

**4-25** None.