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COUNCIL

Minutes of a Virtual Council Meeting held at 6.00 pm on Thursday, 22 April 2021.

Under Regulations made under the Coronavirus Act 2020, the meeting was held virtually. Members of the public were able to view the virtual meeting via the District Council's website at www.derbyshiredales.gov.uk or via our YouTube channel.

PRESENT

Councillor Richard Fitzherbert - In the Chair

Councillors, Jacqueline Allison, Robert Archer, Jason Atkin, Matthew Buckler, Sue Bull, Martin Burfoot, Sue Burfoot, Neil Buttle, David Chapman, Paul Cruise, Tom Donnelly, Graham Elliott, Steve Flitter, Helen Froggatt, Chris Furness, Clare Gamble, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Tony Morley, Michele Morley, Peter O'Brien, Garry Purdy, Mike Ratcliffe, Claire Raw, Mark Salt, Andrew Shirley, Peter Slack, Andrew Statham, Alasdair Sutton, Colin Swindell, Steve Wain and Mark Wakeman.

Paul Wilson (Chief Executive), James McLaughlin (Director of Corporate & Customer Services), Karen Henriksen (Director of Resources), Steve Capes (Director of Regeneration and Policy), Tim Braund (Director of Regulatory Services), Ashley Watts (Director of Community & Environmental Services), Vikki Hatfield (Neighbourhoods Manager), Angela Gratton (Democratic Services Officer).

This meeting was recorded and broadcast live on YouTube

HIS LATE ROYAL HIGHNESS, THE DUKE OF EDINBURGH

A minutes silence was held to pay tribute to His late Royal Highness, The Prince Philip, Duke of Edinburgh. Leaders of the Political Groups paid tribute to The Prince Philip, Duke of Edinburgh and gave condolences and sympathies to Her Majesty Queen Elizabeth and the Royal family.

APOLOGIES

Apologies for absence were received from Councillor Richard Bright.

340/20 - PUBLIC PARTICIPATION

None

341/20 – INTERESTS

Councillor Richard Fitzherbert declared a personal interest in Item 10 as Chairman of Marketing Peak District & Derbyshire.

Councillors Sue Burfoot, Paul Cruise, Steve Flitter and David Hughes declared a personal interest in Item 10 as Matlock Town Councillors.

Councillor Sue Bull declared a personal interest in Item 10 as an Ashbourne Town Councillor.

342/20 – APPROVAL OF MINUTES

It was moved by Councillor Jason Atkin seconded by Mark Wakeman and

RESOLVED That the Minutes of the Derbyshire Dales District Council held on
Council 18 March 2021

be approved as a correct record:

RESOLVED That the minutes of the Council Meetings listed in the Minute book
(unanimously) for the period 11 March 2021 to 13 April 2021 be received

The Chairman declared the motion CARRIED.

343/20 - LEADERS' ANNOUNCEMENTS

Councillor Gary Purdy Leader of the Council, made the following statement:

On the same day as Prince Philip passed away, Friday 9th April, Paul Wilson and I attended by family invitation and represented the Authority at the funeral of former Cllr Joyce Pawley. It was a very moving ceremony filled with love and devotion by her Husband Chris, Family and the Children who very bravely told the story of Joyce's life, and which revealed what a remarkable lady she was. At times like this it puts politics into perspective and makes one realise just how precious life, and especially family life is.

Joyce actually organised her own funeral in as much that she wanted her family to be her voice, to tell of her past life from birth, of her interests, her religious beliefs, her working life, her political life and a love of life and poetry. Family was very much at the heart of Joyce's life. The story of Joyce's life revealed a sad - fact that we never really know anyone until perhaps they pass from this life.

We see each other in a work situation, albeit not in the pandemic of course but we are too soon to make unqualified judgements on people. I think the best testament I can give to Joyce is to read the poem that she wrote for her own funeral. (Read from Service Book).

Turning to Council business - you will note from the Agenda papers that all Local Authorities in the Country have had to make important decisions as to how we conduct business given

that legislation to conduct virtual meetings expires on 6th May and through a recent Group Leaders meeting it was decided that the only pragmatic and sensible way forward was to allow Officers to make Delegated Decisions but with liaison with affected Ward Members and Group Leaders.

This will be monitored very closely but will very much depend upon any increase in infections and the need to stay safe regarding Covid 19.

We will be still waiting to the result of an Appeal made by The Association of Democratic Services Officers (ADSO), Lawyers in Local Government (LLG) and Hertfordshire County Council who have lodged a legal challenge in the High Court that seeks a continuation of local authority remote meetings beyond 6 May 2021. The Appeal is actually being supported by Secretary of State the Rt Hon Robert Jenrick MP and his Office, so watch this space.

The recent announcement of a number of grants from Government, especially the Levelling Up fund and the Community Renewal Fund provide the opportunity to do more for our District. After complaining on at least two occasions this past year to Secretary of State the Rt Hon Robert Jenkin MP on DCN Webinars that rural areas miss out on Government funding, I am delighted that at long last Government have recognised the importance of the Rural areas by the Priority One Category that has been assigned to the Derbyshire Dales with regard to the Levelling Up Fund.

However, the deadline of 18th June by which time the bid must be submitted is extremely tight and with a lack of Officer capacity we have little choice but to work towards submitting a bid in the second round of Levelling Up monies.

The presentation for improvements in Ashbourne that Paul and I saw recently from Ashbourne Town Team was very commendable. Evidently a lot of work has been put into the plan. However, I have had to inform Ashbourne Town Team that it would be wholly wrong if we were to support just one of our Market Towns.

It has been decided therefore as you will see with Item No 10 on your Agenda papers that we are to aim for a Second tranche of Levelling Up Funding, which we are assured will come, but to cover our Four Market Towns and thereby allow time for our Officers to develop schemes and to Green Book standard. To get to Green Book standard involves an awful lot of work by our Officers and once again puts pressure on our already much stretched Officer resources.

This Authority needs to give serious consideration that if we want to witness improvements in our Market Towns and in Derbyshire Dales by securing Government monies that we have to give support for any planned expansion in the Business Team and indeed in any other really stretched Department.

I encourage Members therefore especially in Matlock, Bakewell and Wirksworth to give serious consideration as to what schemes they would wish to see come forward in order to allow us to be in a position as an Authority to submit a bid to Government for the 2nd round of the Levelling Up Fund, which has to be backed by our MP Sarah Dines and which would have a high degree of success.

Naturally we will liaise with our colleagues in Derbyshire County Council, the Peak District National Park Authority, the respective Town Councils, Ashbourne Town Team and Parish Councils as necessary.

This is a golden opportunity for this Authority and the Derbyshire Dales and therefore we need to put all our energies into the task.

344/20 - CHAIRMAN'S ANNOUNCEMENTS

Councillor Helen Froggatt advised the Council there were no announcements

345/20 – COMMITTEES

It was moved by Councillor Richard Fitzherbert seconded by Councillor Alyson Hill and

RESOLVED That the non-exempt minutes of the Committees listed in the Minute
(unanimously) book for the period 11 March 2021 to 22 April 2021 be received

346/20 - QUESTIONS (RULE OF PROCEDURE 15)

Question from Councillor Matthew Buckler to Councillor Jason Atkin, Chairman of the Planning Committee:

“Q1 For Councillor Atkin, as Chair of the Planning Committee On how many occasions in the last 4 years have Councillors at Planning Committee voted against the recommendations of Council Officers on planning applications, allowing development against the policies included in the Local Plan?”

Councillor Atkin provided a verbal response.

RESPONSE:

Thank you for the question.

In providing the answer I must remind Members that the policies in the Local Plan often do not provide simple yes/no choices, but are issues to be weighed in the overall planning balance.

Nevertheless, the answer to the question is that over the last 4 years the Planning Committee has voted to approve applications against the recommendations of Council Officers on 12 occasions. On all of these occasions the recommendations of officers have been based on their interpretation of the policies contained within the Local Plan.

Supplementary Question: Councillor Buckler asked what percentage of applications overturned were affordable homes?

Response: Councillor Atkin informed Members he would provide a written response when it has been checked

Questions from Councillor Matthew Buckler to Councillor Garry Purdy, Leader of the Council:

“Q2 For Councillor Purdy. In the light off the Treasury Review by Professor Sir Partha Dasgupta, highlighting the importance of nature to society and the recent report of the Derbyshire Dales Climate Hub, showing that a significant proportion of our residents support

action on climate and biodiversity, will Councillor Purdy outline the process by which this Authority will ensure biodiversity is protected across the District as a whole?

Councillor Purdy provided a verbal response.

RESPONSE:

As Councillor Buckler is aware, the Environment Bill, which will set out the statutory basis for taking forward Biodiversity Net Gain is progressing through Parliament. Whilst there is no indication of when the Environment Bill will receive Royal Assent or come into force, a consultation on the detail of the secondary legislation for Biodiversity Net Gain is expected perhaps this year.

The Derbyshire Dales has a significant amount of biodiversity interests. As such the impact of any new statutory Biodiversity Net Gain requirements for the District Council could be fairly substantial.

Councillor Buckler is also aware that in exercising our planning function, the District Council does not have any resources or expertise in this field. We currently rely on a Service Level Agreement with the Derbyshire Wildlife Trust, advice from Natural England, and advice from the Ecology team at Derbyshire County Council to provide advice upon development proposals where there may be an impact upon biodiversity.

Derbyshire County Council are in the process of commissioning consultants to prepare a Natural Capital Strategy for Derbyshire. This is obviously an important step in providing evidence to support Biodiversity Net Gain and one that I welcome.

However all local planning authorities in Derbyshire are starting to gear up for what could be complex requirements in relation to Biodiversity Net Gain. Therefore District Council officers have also pressed County Council officers, who have existing expertise, on what arrangements they might put in place to support district councils.

County Council officers have agreed to provide an update in due course.

Finally, the Council also has a Biodiversity Working Group which is made up of officers and member representatives from each political party, including Cllr Buckler. This year the group are focusing their efforts on verges, parks and open spaces, with the aim of reviewing current mowing and cutting practices and schedule in an attempt to restore nature habitat and increase the level of biodiversity across the district. An update on this work will be presented to members later in the year.

Supplementary Question: This is welcome work this Council doing on Biodiversity but how are we going to ensure that Biodiversity is going to be included in other activities such as Conditions, Planning, Local Plan Review, Economic Recovery and Clean & Green Review

Response: This will be covered by the Biodiversity Working Group

Q3 For Councillor Purdy. Will Councillor Purdy outline how this Authority is working with the Environment Agency and other partners to ensure that our residents and environment are a key consideration in the operation of the Enthoven facility in South Darley and Warren Carr?"

Councillor Purdy provided a verbal response.

RESPONSE:

Thank you for the question.

This question relates to a relatively complex system of regulation. The operations at Enthovens are mainly regulated through an environmental permit issued under the Environmental Permitting (England and Wales) Regulations 2016 by the Environment Agency. The permit is published on the .Gov website. As such, the Environment Agency are the main environmental regulator for the site.

The District Council's involvement comes in 2 ways. When Planning applications are received they are considered by the Council and as part of the decision making process, the Environment Agency is consulted.

Also, occasionally complaints are received that fall outside the control of the Environmental Permit and become the responsibility of the Council's Environmental Health team. An example would be an issue that is not connected to the regulated process, such as complaints of nuisance light. In those cases our team would investigate and liaise with the Environment Agency as necessary.

However, it is important to stress that the main environmental regulator for this site is the Environment Agency.

Supplementary Question: What communications are in place between the Environmental Agency, Derbyshire County Council and Derbyshire Dales District Council to ensure full awareness of Planning and Highways?

Response: Councillor Purdy informed Councillor Buckler he would check and provide a written response.

Questions from Councillor Clare Gamble to Councillor Garry Purdy, Leader of the Council:

"Q1. Cllr Purdy, when are you and your group going to stop trying to stifle debate on important council issues, and stop seeking to prevent elected members from undertaking their role in scrutinising decision making on behalf of the residents that elected them?"

Councillor Purdy provided a verbal response.

RESPONSE:

Thank you for your question. I don't accept the premise of your question. If you look at the changes to decision making that were agreed last July with more business coming through Council meetings to give more Members the opportunity to comment on and debate the matters before us, then the system shows that we are far more open to debate on important issues at Council than ever and perhaps more so than many other local authorities in the country. Whilst I don't accept the premise of the question, a person who might accept the premise of it would only have to look at the length of Council and committee meetings to see that debate isn't being stifled. Meetings regularly go on beyond two and a half hours and a reasonable person looking at that would possibly conclude that more debate is taking place now than ever before. Debate is not a bad thing and it is welcomed.

Q2. Where is your evidence that there is a critical breakdown in the relationship between officers and members that justifies the over the top comments, you, and other members of your group regularly make in council meetings?

Councillor Purdy provided a verbal response.

RESPONSE:

Thank you for your question. I don't consider that there has been a critical breakdown in any relationship between the Members and officers of this Council. The comments that I have made in meetings over the last twelve months were largely echoed by members of all groups of this Council when we recognised the extra efforts that officers have gone to in responding to the Covid-19 pandemic. Our officers are our best asset and we should continue to support them, and not burden them with additional demands for unnecessarily detailed information, which is why I have regularly reminded Members of the need to be mindful of the kind of requests for information that have been submitted during the pandemic.

Q3. Will you publicly accept that elected members are entitled to ask probing questions of officers, which may, on occasions, expose failings in the part of officers, and that robust questioning and debate is a normal part of councillor and officer engagement?"

Councillor Purdy provided a verbal response.

RESPONSE:

Thank you for your question. Let us be clear on why we sit here as a Council – we are a decision making body, collectively we make decisions that impact on the residents of this district. When we come to meetings, it is expected that every member we will have fully read the papers prepared by officers to participate in a debate. Papers are published five working days before the meeting to give us the opportunity to ask questions before we come to the meeting in order that we can debate and represent our residents. Meetings of the Council are not scrutiny committees – watch Council meetings at any other authority and you will see the difference.

The Council employs professional Officers to advise and assist us in our decision making responsibilities. They are the professionals, not Members and we should respect their professional advice, although we may not always agree with it.

Turning to your question, good governance arrangements in local authorities ensure that there is a balance between decision making and accountability. Officers submit proposals to the Council and its committees, Members consider those proposals and may seek further information or clarification through questions to officers. That is entirely appropriate but requests should be reasonable and proportionate. Officers serve the whole Council, not a part of it, and will answer queries from Members according to the rules of the Constitution – that has never been up for debate.

Questions from Councillor Steve Wain to Councillor Garry Purdy, Leader of the Council:

"I have received concerns from residents regarding to lack of accessibility for drivers with reduced mobility when using payment machines on DDDC car parks.

It is my understanding that this Council is looking to introduce a text payment service in the coming months, which would mean anyone would be able to make a payment for parking by registering the vehicle and payment details to activate parking sessions without having to physically use a machine.

This technology has been readily available in many other local Council areas for some time.

Why has this Council taken so long to consider the adoption of this technology that obviously not only benefits those with reduced mobility, but in light of the Covid-19 pandemic also reduces the likelihood of transmission by physically using a machine?

When is the initiative going live and can this be expedited to help those with reduced mobility and reduce the risk of transfer of the virus?"

Councillor Purdy provided a verbal response.

RESPONSE:

The Council has been keen to upgrade the payment system for its car parks and a text/mobile payment service is deemed the most suitable upgrade at this time. It hasn't been possible to introduce this previously, as the handheld devices used by the parking enforcement officers does not have the compatibility to allow for this.

As Members are aware, the contract for parking enforcement is managed by the County Council, and it is worth noting that this contract is due for renewal in August this year. The introduction of better technology will form as part of the new contract, which will not only improve accessibility but also tackle of the fluctuating signal strength issues some areas within the Dales have experienced.

Supplementary Question: Will it be operative in August as I'm concerned on the impairment of some people who have the greater dexterity to drive a car but not the more finer dexterity to insert coins and get a ticket making them unable to be independent can you ensure me the procurement exercise will be a broad assessment of people with differing degrees of mobility.

Response: Agreed this is important I can't say it will be operative in August but I'll find out from officers the situation and get back to you in writing.

Councillor Andrew Statham joined the meeting 18:15

347/20 – DERBYSHIRE DALES ECONOMIC RECOVERY PLAN – LEVELLING UP FUND, COMMUNITY RENEWAL FUND, WELCOME BACK FUND

In the context of the approved Economic Recovery Plan for the Derbyshire Dales, Council considered a report on the timing and potential content of a bid to the Government's *Levelling Up Fund* and the *UK Community Renewal Fund* and the *Welcome Back Fund*, also recently introduced by the Government.

The Director of Regeneration and Policy updated Members on key Economic Recovery Projects and the on ongoing mobilisation of Council staff in paying out COVID-19 business support and recovery grants.

The Levelling Up Fund Bids are typically up to £20 million, and the Derbyshire Dales gets one LUF bid only for the whole district. The lead authority for this area is Derbyshire Dales

District Council. The bid will need the support of the MP and County Council (especially with regard to highways elements) as well as other key stakeholders.

The Government has prioritised local areas for LUF. The Priority 1 areas within Derbyshire are the districts of Derbyshire Dales, High Peak, Chesterfield and Erewash. Priority 1 represents places with the highest levels of identified need. These bandings form one part of the Government's competitive criteria for assessing bids. Bids must be based on full business cases that follow the HM Treasury 'Green Book' model. This requires technical support in formulating the five cases in the required format (strategic case, commercial case, economic case, financial case, management case).

Jointly with High Peak Borough Council and Derbyshire County Council, the District Council will submit a bid to the UK Community Renewal Fund for a new 'LEADER' scheme (locally-determined small business grants, based on the existing Local Action Group) that includes support for decarbonisation.

The District Council will also support external partners making UK Community Renewal Fund bids where they prioritise rurally-distinctive measures, including support for smaller manufacturing and engineering businesses, advice and grants on going digital, and support for town centre retailers.

The Welcome Back Fund is a small revenue allocation with restrictive criteria. It can fund certain temporary measures to promote the safe reopening of the public environment for local trade and tourism. In order to spend it effectively and efficiently, the District Council will spend some funds itself; some via partners such as Marketing Peak District and Derbyshire; and some via the six parish and town councils with experience of the Reopening High Streets Safely Fund (approximately £6,000 to each).

It was moved by Councillor Sue Bull, seconded by Councillor Garry Purdy and

RESOLVED
(Unanimously)

1. The Government's *Levelling Up Fund*, *Community Renewal Fund*, and *Welcome Back Fund* are noted; including the Derbyshire Dales' "Priority 1" status for Levelling Up and Community Renewal
1. Approval is given to prepare a District Council bid to Round 2 of the *Levelling Up Fund* for a coherent, strategic package of capital schemes to regenerate Derbyshire Dales market towns
2. It be noted that to prepare Green Book compliant business cases for the *Levelling Up Fund*, work must be undertaken to develop bid-ready schemes with officer time, technical consultancy and other costs expended 'at risk'
3. If timely capacity funding is not provided by the Government, the Council shall meet the costs referred to in Recommendation 3 from the General Reserve
4. The District Council shall explore opportunities with partners to put forward rurally-distinctive measures to the *UK Community Renewal Fund 2021/22* including potentially:
 - A new 'LEADER' scheme (locally-determined small business grants, based on the existing Local Action Group)
 - Regenerating Matlock's former market hall / bus station site
 - DE-Carbonise grants for businesses in the Derbyshire Dales seeking to reduce their carbon emissions
 - Digital advice and grant support for smaller businesses

- Town centre Retail Advisor specialist support
5. The District Council shall explore opportunities with partners to effectively and efficiently spend *Welcome Back* funding, including where practicable support for the visitor economy
 6. The ongoing payment of COVID-19 business support grants and recovery grants is noted
 7. Progress with Ashbourne Business Park, the Bakewell Road regeneration scheme (Matlock), and other elements of the Economic Recovery Plan is noted.

The Chairman declared the motion CARRIED.

Councillor Cruise left the meeting 19:36

348/20 – COVID-19 ORGANISATIONAL ROADMAP AND RECOVERY

Council considered a report outlining the Government's four-step roadmap out of Covid-19 lockdown and discusses the District Council's proposals for the resumption of post lockdown service delivery.

It was moved by Councillor Tony Morley, seconded by Councillor Mike Ratcliffe and

RESOLVED
(unanimously)

Council noted the Government's four step roadmap out of Covid-19 lockdown and endorses the District Council's proposed approach to the resumption of post-lockdown service delivery.

The Chairman declared the motion CARRIED.

349/20 – REMOTE MEETINGS AND DECISION MAKING AFTER 7 MAY 2021

Council considered a report advising Members that the regulations permitting remote meetings of the Council and its committees cease to be effective from 7 May 2021, provide an update in respect of action seeking a declaratory judgement to give local authorities the freedom to hold virtual or hybrid remote meetings in future and to make arrangements for the continuation of decision making after 7 May 2021 until such a time as it is safe for meetings of the Council and its committees to resume in Matlock Town Hall.

Having consulted with the four political group leaders, it is proposed that authority is delegated to the Chief Executive or relevant Director to discharge the functions of the Council and its committees until such a time as those bodies are able to meet either virtually, physically or under hybrid arrangements. Assuming that the Government's tests for the easing of Covid related restrictions are met, it is anticipated that meetings of the Council and its committees will be able to recommence at some point after Monday 21 June 2021, albeit subject to a Covid risk assessment being in place that accords with guidance on the safe use of buildings.

The Director of Corporate and Customer Services informed Members we are supporting legal action to preserve the right for local authorities and town councils to continue to make decisions via virtual meetings and I suggest the Council makes a contribution of £300 towards High Court Action by Lawyers in Local Government and the Association of Democratic Services Officers. A decision is still awaited on the High Court hearing on 21 April 2021.

In delegating the discharge of functions reserved to Council and its committees to the Chief Executive, it is recommended that the following provisions apply:

Decision Making Body	Authority delegated to	In consultation with
Council	Chief Executive	<ul style="list-style-type: none"> • Chairman of the Council • Political Group Leaders • Ward Members (where ward specific)
Governance and Resources Committee	Chief Executive Director of Resources Director of Corporate & Customer Services Director of Regulatory Services	<ul style="list-style-type: none"> • Chair and Vice-Chair of Governance and Resources Committee • Political Group Leaders • Ward Members (where ward specific)
Community and Environment Committee	Chief Executive Director of Community & Environmental Services Director of Regeneration & Policy Director of Regulatory Services	<ul style="list-style-type: none"> • Chair and Vice-Chair of Community and Environment Committee • Political Group Leaders • Ward Members (where ward specific)
Planning Committee	Director of Regulatory Services	<ul style="list-style-type: none"> • Chair and Vice-Chair of Planning Committee • Ward Members

Decision Making Body	Authority delegated to	In consultation with
Licensing and Appeals Committee • Decisions in respect of functions under the Local Government (Miscellaneous Provisions) Act 1976, such as taxi licensing and other miscellaneous licensing functions	Director of Regulatory Services	• Chair and Vice-Chair of Licensing and Appeals Committee • Ward Members

Committee Chairs, Vice Chairs, political leaders and where appropriate, ward members will be consulted before decisions are made, no Officers will be asked to make decisions they are uncomfortable with and any major decision will be left until Council can reconvene. All reports will be sent out 5 days prior to the meetings as they are now giving Members time to read and feedback questions to their Leaders and the situation will be reviewed weekly. It is hoped this will not come into effect but a plan has to be put in place and I am confident we will make the process as transparent as possible. If the court case is successful a hybrid meeting model will be put in place.

It was moved by Councillor Garry Purdy, seconded by Councillor Steve Flitter and

RESOLVED

1. That the cessation of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 on 7 May 2021 be noted.
2. That authority be delegated to the Director of Corporate and Customer Services, in consultation with the four political group leaders, to respond to the Government’s consultation and call for evidence in respect of remote local authority meetings setting out the way in which virtual meetings have enabled the continuation of democratic governance at the Council since April 2020.
3. That the update in respect of the legal proceedings at the High Court brought by the Association of Democratic Services Officers, Lawyers in Local Government and Hertfordshire County Council seeking a declaratory judgement to confirm that local authorities may hold virtual or hybrid meetings after 7 May 2021 be noted.
4. That, subject to the outcome of the legal proceedings at the High Court not permitting virtual meetings, authority be delegated to the Chief Executive and Directors to take decisions reserved to the Council and committees, in consultation with Chairs and Vice-Chairs, Political Group

leaders and (if appropriate) Ward Members, as set out in the schedule found at paragraph 2.6 of the report, until such a time as in person committee meetings can safely resume at Matlock Town Hall, which will be subject to the Government's roadmap out of lockdown.

5. That, the Monitoring Officer be authorised to amend Part 3 of the Constitution (Responsibility for Functions) to reflect the revised decision making arrangements at the Council.
6. That the membership of committees currently in operation remain as previously agreed on 22 July 2020 until such a time as the Council can meet to determine the new political balance and seat entitlement after the by-elections for Masson and Wirksworth wards on 6 May 2021.
7. That the Council contribute £300 to the High Court case costs incurred by the Association of Democratic Services Officers and Lawyers in Local Government.

Voting	In favour	21
	Against	4
	Abstain	5

The Chairman declared the motion CARRIED.

350/20 – MOTION TO CONTINUE

It was moved by Councillor Colin Swindell, seconded by Councillor Michelle Morley and

RESOLVED That, in accordance with Rule of Procedure 13, the meeting continue
(Unanimously) beyond 2 hours 30 minutes to enable the business on the agenda to be concluded.

The Chairman declared the motion CARRIED.

Councillor Mike Ratcliffe left the meeting 20:30

Meeting Adjourned 20:30

Meeting Re convened 20:40

351/20 – ESTABLISHMENT OF CONSTITUTION WORKING GROUP

Council considered a report recommending the establishment of a Constitution Working Group to assist with a wide-ranging review of the Constitution and to define the purpose and remit of the Group.

Since taking up post, the Monitoring Officer has identified a number of areas that require review within the Constitution in order to reflect protocols and procedures that are in operation within the Council, which are not necessarily documented. Furthermore, there is a need to keep the Constitution regularly reviewed, as per the requirement of section 37 of the Local Government Act 2000.

The purpose of the working group will be to ensure that the Constitution is relevant, fit for purpose and enables the decision making processes of the Council to progress in an expedient manner. The group will identify areas which may be ambiguous or inconsistent and will also react to changes in legislation, policy or accepted practice and make recommendations for alterations and improvements. Proposed terms of reference for the group as detailed at Appendix 1.

The Constitution Working Group shall comprise of seven Members with representation from the political groups on a proportional basis. Members will be appointed to the Constitution Review Working Group at the Annual Council Meeting. The Chairman of the Constitution Working Group will be elected by the Members of the Group. Meetings will be supported by the Monitoring Officer, Democratic and Electoral Services Manager and any other officer as required.

It was moved by Councillor Chris Furness, seconded by Councillor Helen Froggatt and

RESOLVED 1. A Constitution Working Group be established with the terms of reference as detailed in Appendix 1.

Voting	In favour	30
	Against	0
	Abstain	3

The Chairman declared the motion CARRIED.

352/20 – EXCLUSION OF PUBLIC AND PRESS

It was moved by Councillor Jason Atkin, seconded by Councillor Andrew Statham and

RESOLVED
(Unanimously)

The Chairman declared the motion CARRIED.

353/20 – STEEPLE ARCH CEMETARY EXTENSION – EXEMPT REPORT

Consideration was given to a report which sought approval for additional funds to meet the increased costs of the works for the extension of Steeple Arch Cemetery.

Questions were raised on how many bids there were for the work and if any were local. There were 11 bids for the work some of which were local ranging from 60K to 130K but only 3 were compliant with the Council's requirements. In response to a question, it was confirmed that the bids were looked at on a 60% Quality and 40% cost basis

RESOLVED 1. That up to an additional £70,000 be made available from the Capital Programme Reserve to cover the costs of the required works.
(Unanimously)

The Chairman declared the motion CARRIED.

354/20 – SEALING OF DOCUMENTS

It was moved by Councillor Mark Wakeman, seconded by Councillor Chris Furness and

RESOLVED
(Unanimously)

That the common seal of the Council be affixed to those documents, if any, required to complete transactions undertaken by Committees or by way of delegated authority to officers since the last meeting of the Council.

The Chairman declared the motion CARRIED

MEETING CLOSED 21:00

CHAIRMAN