

PUBLIC

**MINUTES** of a meeting of **COUNCIL** held on Thursday, 7 December 2023 at Council Chamber, County Hall, Matlock.

## **PRESENT**

Councillor T Ainsworth (in the Chair)

Councillors B Lewis, S Spencer, R Ashton, D Allen, N Atkin, J Barron, B Bingham, J Bryan, S Bull, A Clarke, C Cupit, A Dale, C Dale, J Dixon, R Flatley, M Ford, E Fordham, M Foster, R George, K Gillott, D Greenhalgh, L Grooby, C Hart, A Hayes, A Haynes, G Hickton, S Hobson, N Hoy, J Innes, T Kemp, T King, G Kinsella, W Major, R Mihaly, P Moss, D Muller, D Murphy, G Musson, R Parkinson, J Patten, P Rose, P Smith, A Sutton, S Swann, D Taylor, D Wilson, J Woolley and M Yates.

Apologies for absence were submitted for Councillor K S Athwal, S Burfoot, D Collins, A Foster, A Gibson, N Gourlay, R Iliffe, J Nelson, P Niblock, L Ramsey, J Sidle, A Stevenson, J Wharmby and B Woods.

Officers present: Emma Alexander (Managing Director), Joe O'Sullivan (Executive Director - Corporate Services and Transformation), Helen Barrington (Director of Legal and Democratic Services), Carol Cammiss (Executive Director - Children's Services) and Ellie Houlston (Director Of Public Health).

### **97/23 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Athwal, Burfoot, Collins, Foster A, Gibson, Gourlay, Iliffe, Nelson, Niblock, Ramsey, Sidle, Stevenson, Wharmby and Woods.

### **98/23 DECLARATIONS OF INTEREST**

None received.

### **99/23 PUBLIC QUESTIONS**

**Question from David Ingham to Councillor B Lewis, Leader of the Council**

"I've asked questions associated with the proposed EMCCA at Full Council on 02-11-22 and at the Improvement and Scrutiny Committee – Resources on 11-05-23 when there had been a Call In request relating to the allocation and approval of £0.480m from the Feasibility Reserve Fund to support development stages of the EMCCA.

I note at 2.54 within the report implications for Nottingham City Council, presumably as they can't deliver a 2023/24 balanced budget and have issued a Section 114. I also note at 2.65 programme team potential implications. I already understand from my attendance at Scrutiny Committee on 11-05-23 that £2m development stage costs were already been shared between the constituent councils – £0.480m falling on Derbyshire.

Given Derbyshire's 2023/24 financial projected overspend position, what are the implications of Nottingham City's tragic financial position on Derbyshire now regarding EMCCA proposal resources/finance commitments especially given Derbyshire is the Accountable Body?"

Councillor Lewis responded as follows:

"We don't anticipate that Nottingham City Council's issue of a Section 114 notice will have any impact on DCC in our role as an accountable body for the programme to establish an East Midlands Combined County Authority. The shared costs for which we are accountable are funded from central government capacity funding and do not require additional contributions from each of the constituent authorities."

Mr Ingham asked the following supplementary question:

"Just for total clarity on my part, better understanding for me and to be transparent, I am totally neutral on EMCCA proposal and totally non-partisan. Just for the record my interest is purely about resource and financial implications for DCC and it's protection.

Am I right that decisions being taken in relation to the EMCCA are optional? I was involved in the local government review in 97, both public facing and back office, it was resource intensive for everybody, that's my closest comparator really. I can only imagine the work behind the scenes in addition to that known through the call in at scrutiny in May.

Just to be categorically clear, given today's report to full Council can't be subject to a call in, will all past and future costs associated with work undertaken by DCC to set up the EMCCA be fully funded and recoverable, as I don't believe it is totally explicit within the report and is especially important given DCC has taken on additional accountable body responsibilities?"

Councillor Lewis's response was as follows:

“I would expect that costs of an accountable body would be met within the fund, as described.”

**100/23**    **CONSENT TO THE EAST MIDLANDS COMBINED COUNTY  
AUTHORITY REGULATIONS 2023**

The Managing Director introduced a report, which had been circulated in advance of the meeting, that requested consent to the East Midlands Combined County Authority Regulations 2023.

The report sought agreement to the creation of the East Midlands Combined County Authority, with the Council as a constituent member, referred to the inaugural mayoral election of the Combined Authority on 2 May 2024 and sought the relevant approvals regarding the appointment of a Returning Officer for the Combined Authority.

**RESOLVED to:**

- 1) Agree to the creation of the East Midlands Combined County Authority with the Council as a constituent member;
- 2) Consent to the making of the East Midlands Combined County Authority Regulations 2023 as required by section 46(1)(d) of the Levelling Up and Regeneration Act 2023;
- 3) Delegate authority to the Managing Director to approve any technical amendments to the East Midlands Combined County Authority Regulations 2023, which the Chief Executives of the other three Councils also agree to, on behalf of Derbyshire County Council. This delegation is to be exercised in consultation with the Leader of the Council; and,
- 4) Approve the appointment of Melbourne Barrett, Returning Officer of Nottingham City Council as the first combined county authority returning officer for the proposed East Midlands Combined County Authority, subject to the passing of the amendments to article 6A(1) of the Combined Authorities (Mayoral Elections) Order 2017 as applied by article 12 of the Combined Authorities (Mayoral Elections) Order 2017 (Amendment) Regulations 2023.

The meeting finished at 5.23 pm