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Our Ref
Your Ref

7th July 2020

Dear Councillor,

Council

YOU ARE HEREBY SUMMONED to attend the Virtual Meeting of the **Council** to be held via Microsoft Teams, on **Wednesday, 15 July 2020 at 18:00** to transact the business set out on the attached agenda.

Yours faithfully,

Chief Executive

To:- **Conservative Group**

Councillor Muller (Chairman), Councillor Atkin (Vice-Chairman) and Councillors Angliss, Brady, Ms. Bridgen, Mrs. Brown, Churchill, Corbin, Dawson, Fitzpatrick, Ford, Ms. Haines, Hewlett, MacPherson, Mrs. Patten, Pegg, Dr. Perry, Roberts, Watson and Ms. Wheelton.

Labour Group

Councillors Bambrick, Dunn, Gee, Ms. Heath, Mulgrew, Dr. Pearson, Rhind, Richards, Shepherd, Singh, Southerd, Mrs. Stuart, Taylor and Tilley.



AGENDA

Open to Public and Press

- 1** Apologies.
- 2** To confirm the Open Minutes of the Council Meeting (CL/113 - CL127) held on Wednesday, 26th February 2020
Council 26th February 2020 Open Minutes **5 - 12**
- 3** To receive any declarations of interest arising from any items on the Agenda
- 4** To receive any announcements from the Chairman, Leader and Head of Paid Service.
- 5** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 6** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 7** PAY POLICY STATEMENT 2020-2021 **13 - 28**
- 8** LOCAL GOVERNMENT ASSOCIATION - PEER REVIEW REPORT **29 - 45**
- 9** INTRODUCTION OF PAVEMENT LICENCES **46 - 48**
- 10** INDEPENDENT REMUNERATION PANEL **49 - 71**
- 11** CYCLE OF MEETINGS 2020-21 **72 - 74**
- 12** To receive and consider the Open Minutes of the following Committee:
Planning Committee 3rd September 2019 **75 - 78**

Planning Committee 24th September 2019 Minutes	79 - 81
Planning Committee 15th October 2019- Open Minutes	82 - 84
Environmental and Development Services Committee 25th November 2019 Open Minutes	85 - 90
Planning Committee 26th November 2019 Minutes	91 - 94
Overview and Scrutiny 27th November 2019 Minutes	95 - 97
Planning Committee 17th December 2019 Minutes	98 - 101
Overview and Scrutiny 15th January 2020 Minutes	102 - 105
Housing and Community Services Committee 30th January 2020 Open Minutes	106 - 110
Planning Committee 4th February 2020 Minutes	111 - 116
Overview and Scrutiny 12th February 2020 Minutes	117 - 120
Finance and Management Committee 13th February 2020 Open Minutes	121 - 127
Planning Committee 25th February 2020 Minutes	128 - 131
Environmental and Development Committee 5th March 2020 Open Minutes	132 - 136
Housing and Community Services Committee 12th March 2020 Open Minutes	137 - 139

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To review the compositions of Committees, Sub-Committees and Working Panels for the remainder of the municipal year.

14 To review the compositions of Substitute Panels.

15 To review representation on Outside Bodies.

16 To review Member Champions.

Exclusion of the Public and Press:

17 The Chairman may therefore move:-

That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

18 To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.

19 To receive and consider the Exempt Minutes of the following Committees:

Planning Committee 15th October 2019 - Exempt

Housing and Community Services Committee 30th January 2020
Exempt Minutes

Finance and Management Committee 13th February 2020 Exempt
Minutes

Environmental and Development Committee 5th March 2020
Exempt Minutes

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Wednesday 26th February 2020
at 6.00pm

PRESENT:

Conservative Group

Councillor Muller (Chairman), Councillor Atkin (Vice-Chairman) and Councillors Angliss, Billings, Mrs Brown, Brady, Mrs Bridgen, Corbin, Dawson, Fitzpatrick, Ford, Mrs Haines, Hewlett, MacPherson, Pegg, Roberts, Watson and Wheelton.

Labour Group

Councillors Bambrick, Dunn, Mrs Heath, Mulgrew, Rhind, Richards, Shepherd, Southerd, Taylor, and Tilley.

CL/113 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Churchill, and Mrs Patten (Conservative Group), Councillor Gee, Dr Pearson, Dr Perry, Singh, and Mrs. Stuart (Labour Group)

CL/114 **PRESENTATION: KOICHIRO KUNO**

The Chief Executive welcomed Koichiro Kuno who was attending Council prior to his return to Japan. The Chief Executive expressed his appreciation of the chance to host the visit from Koichiro Kuno, who arrived 3 years ago as an esteemed visitor and was leaving as a very good friend of South Derbyshire.

Koichiro Kuno thanked Members and Officers for their warm welcome and continued support during his visit, he added that his time in South Derbyshire has been absolutely fantastic and a priceless experience. He informed Members that he had found invaluable the numerous events that had been organised during his stay and that South Derbyshire's visit to Japan was a great success. In closing, Koichiro Kuno noted that he was looking forward to sharing all his experiences with this friends and colleagues back in Japan.

The Leader wished Koichiro Kuno well on behalf of the Council and asked for thanks to be passed to all in Japan for looking after Members and Officers so well during the visit.

CL/115

DECLARATIONS OF INTEREST

On behalf of all Members, the Chairman declared a pecuniary interest in relation to Item 11, Council Tax Setting 2020/21, in accordance with Clause 14(4)(vi) of the Members' Code of Conduct.

Councillor Ford declared a personal interest in Item 7, Care Leaver Offer, by virtue of being a County Councillor, advising he would not participate in the debate.

Councillor Atkin declared a personal interest in Item 7, Care Leaver Offer, by virtue of being a County Councillor, advising he would not participate in the debate.

Councillor Bambrick, declared a personal interest in Item 7, Care Leaver Offer, by virtue of being a County Councillor, advising he would not participate in the debate.

CL/116 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council outlined a summary of events attended since the last Council Meeting; including: The unveiling of the Holocaust Commemoration Banner in remembrance of those that lost their lives, as well as the Pringle Academy 2020 Awards for years 11 and 12, and the Rainbows Hospice Charity Dinner. The Chairman invited Members to support the upcoming 'Strictly over the Rainbow' event, in which he himself would be a contestant.

CL/117 **ANNOUNCEMENTS FROM THE LEADER**

The Leader thanked all members of staff who worked hard during the time of recent floods.

CL/118 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Chief Executive reminded Members of the need to respond to the email from the Head of Legal and Democratic Services regarding the up and coming Independent Remuneration Panel. The Chief Executive advised Council that there was due to be a press release on Friday 28th February 2020 from Government regarding funding for flood victims of the recent storms and also informed Council of the opening of the 15 affordable new homes built on the site of the former Swadlincote Garage, Hill Street by the Chairman at 2pm on Friday 28th February 2020.

CL/119 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council were informed that no questions had been received.

CL/120 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council were informed that no questions had been received.

CL/121 **CARE LEAVER OFFER**

The Sport and Health Partnership Manager presented the report to Council outlining the four key areas of the Care Leaver Offer

The Leader supported the report and recommended it for Council approval

RESOLVED:

1.1 Council endorsed the corporate parenting principles enshrined in the Children and Social Work Act 2017.

1.2 Council approved the Care Leaver Offer outlined within the report.

1.3 Council approved Officers to seek further additionality to the offer and to work with partner organisations to expand the offer locally.

1.4 Council approved the request from Derbyshire County Council (DCC) to support the promotion and recruitment of Foster Families across the District.

1.5 Council agreed further work with partners to develop and sign a care leavers covenant.

CL/122 **NON-STRUCTURAL REFORM**

The Chief Executive presented the report to Council providing an update on the collaborative work currently taking place between Derbyshire Councils and outlined the need for South Derbyshire District Council's participation and financial input into Phase 2. The Chief Executive reassured Council that South Derbyshire District Council would maintain its identity and would only collaboratively in those areas where it would be beneficial to work together.

Councillors enquired if the amount that the Council is investing will increase if any other Councils withdraw. The Chief Executive informed Council that this would not be the case and that the same Report is being delivered by 8 other Derbyshire Chief Executives for approval and all are committed to this.

RESOLVED:

1.1 Council noted the progress on the development of a new Vision for Derbyshire and work to take forward non-structural reform.

1.2 Council noted the principles for collaboration, the areas of potential focus for future working and the next steps.

- 1.3 Council considered the Price Waterhouse Coopers (PWC) proposals for Phase 2 and the approach for taking plans forward and sharing identified costs as set out in this report.**
- 1.4 Council approved active participation in Phase 2 and the associated costs of supporting PWC proposals.**

CL/123 **COUNCIL TAX REDUCTION SCHEME REGULATIONS 2020**

The Strategic Director (Corporate Resources) presented the report for Council advising that it had been considered, in detail, by Finance and Management Committee.

RESOLVED:

- 1.1 Council agreed Under Section 10 of the Local Government Finance Act 2012, a Local Council Tax Support Scheme for South Derbyshire be adopted for the financial year commencing 1 April 2020.**
- 1.2 Council approved regulations and cited as the Council Tax Reduction Scheme Regulations (South Derbyshire District Council Local Scheme 2020) and come into force on 27 February 2020.**
- 1.3 It be noted that these regulations amend the Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013, as amended, set out in the Schedule to those Regulations for the purposes of paragraph 4 of Schedule 1A to the Local Government Finance Act 1992, by:**
 - Continuing the insertion of Section 18a Class G: exempt persons who are not pensioners.**
 - Continuing the insertion of Section 18b Class H: persons who are not pensioners.**
 - Continuing the amendment to Regulation 32 to vary the maximum entitlement in prescribed cases, i.e. to give effect to the designation of war pensioners and the disabled as protected groups (in addition to pensioners under the Prescribed Requirements) and to reduce benefit entitlement in non-protected groups by 8.5% for persons on passported benefit and by 10% in all other cases.**
 - Continuing the amendment to Schedule 8 (20) to ensure the disregard of war pensions, to include other payments made under the Armed Forces Compensation Scheme.**
 - Continuing the insertion at Part 12 Chapter 6 the provision to increase the period of extended payments (as defined in the Regulations) from 4 to 8 weeks.**

1.4 Council agreed that the amounts of pensions, tax credits, income related and non-income related social security benefits and allowances, component parts, applicable amounts, premiums and deductions be uprated in accordance with the 2013 Regulations in 1.3 above as set out in Housing Benefit Circular HB A1/2020

CL/124 **TREASURY MANAGEMENT STRATEGY AND PRUDENTIAL INDICATORS 2020/21**

The Strategic Director (Corporate Resources) presented the report to Council, outlining the Council's 3 strategies and advised that it had been considered, in detail, by Finance and Management Committee.

RESOLVED:

1.1 Council approved the Treasury Management Strategy for 2020/21.

1.2 Council approved the Prudential Indicators and Limits for 2020/21 to 2024/25.

1.3 Council approved the Investment Policy for 2020/21 including the associated counterparty (lending) list.

CL/125 **ANNUAL REPORT OF THE SECTION 151 OFFICER**

The Strategic Director (Corporate Resources) presented the report to Council, highlighting the Council's current position and its financial sustainability based on projected resources available. The Strategic Director (Corporate Resources) informed Council that there will be update reports throughout the coming year.

RESOLVED:

1.1 Council considered and noted the Annual Report of the Section 151 Officer

1.2 The Council agreed to have due regard to the Annual Report when approving the Budget for 2020/21 and when considering future proposals for new spending and the utilisation of resources.

CL/126 **COUNCIL TAX SETTING 2020/21**

The Leader moved the resolutions contained in the report, commenting on the Council's budget, its financial position, and the proposed level of Council Tax

for 2020/21. The Leader added that the report made it clear where the rise comes from and that it is recognised that the County of South Derbyshire is one of the best places in the Country to live and residents will benefit from the Council Tax rise.

Councillor Richards stated that that whilst the figures in the report are open and transparent it means that the hard-pressed residents of South Derbyshire will be hit by another increase in Council Tax and as the Labour Manifesto proposed a freeze on Council Tax increase the Labour Group would not support the report's recommendations.

RESOLVED:

1. It be noted that on 9th January 2020, the Finance and Management Committee calculated the Council Tax Base 2020/21:

(a) For the whole area as 34,474 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended by the Localism Act 2011).

(b) For dwellings in those parts of its area to which a Parish Precept relates as 23,536.

2. Calculate that the Council Tax Requirement for the Council's own purpose for 2020/21 (excluding Parish Precepts) is £5,704,758.

3. That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 and 36 of the Localism Act 2011:

(a) £45,295,904

Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish Councils.

(b) £38,743,121

Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.

(c) £6,552,783

Being the amount by which the aggregate of 3(a) above exceeds the aggregate of 3(b) above, calculated by the Council in accordance with Section 31A (4) of the Act as its Council

Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

(d) £190.08

Being the amount at 3(c) above (Item R) all divided by Item T (1a above) calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts).

(e) £848,025

Being the aggregate amount of all Parish Precepts referred to in Section 34 (1) of the Act.

(f) £165.48

Being the amount at 3 (d) above less the result given by dividing the amount at 3 (e) above by Item T (1a above) calculated by the Council in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept relates.

- 4. To note that Parish Councils have issued precepts to the Council in accordance with Section 41 of Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in Schedule A***
- 5. To note that the County Council, the Police and Crime Commissioner and the Fire and Rescue Service for Derbyshire, have issued Precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in Schedule B.***
- 6. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Schedule C, as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings, this being the aggregate of Schedules A and B.***
- 7. That in accordance with Section 52 (ZB) of the Local Government Finance Act 1992, the Council determines that the amount of council tax shown at 3 (f) of £165.48 is not excessive compared to 2019/20 and therefore there is no requirement for a local referendum.***

As required by the Council's Procedure Rules a recorded vote was taken:

The Members who voted for the resolutions were:

Councillors Atkin, Angliss, Billings, Brady, Mrs Bridgen, Mrs Brown, Corbin, Dawson, Fitzpatrick, Ford, Mrs Haines, Hewlett, MacPherson, Muller, Pegg, Roberts, Watson and Mrs Wheelton

The Members who voted against the above resolutions were:

Councillors Bambrick, Dunn, Mrs Heath, Mulgrew, Rhind, Richards, Shepherd, Southerd, Taylor, and Tilley

CL/127 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined under the paragraphs of Part 1 of Schedule 12A of the Act as indicated in the reports of Committees.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NUMBER 11

Council was informed that no questions had been received.

The meeting terminated at 7.10 pm.

COUNCILLOR D MULLER

CHAIRMAN OF THE DISTRICT COUNCIL

REPORT TO:	COUNCIL	AGENDA ITEM: 7
DATE OF MEETING:	15th JULY 2020	CATEGORY:
		RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (CORPORATE RESOURCES)	OPEN
MEMBERS' CONTACT POINT:	KEVIN STACKHOUSE (01283 595811) kevin.stackhouse@southderbyshire.gov.uk	DOC:
SUBJECT:	PAY POLICY STATEMENT 2020/2021	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

1.1 That the Pay Policy Statement for the financial year 2020/2021 is approved for publication.

2.0 Purpose of the Report

2.1 The Localism Act 2011 requires all local authorities to publish a Pay Policy Statement on an annual basis. Regulations require the Full Council to consider and approve the Statement for publication in accordance with the Code of Practice on Transparency in Local Government.

3.0 Detail

3.1 The Pay Policy Statement (which is attached) reflects the Council's organisation structure as at 1 April 2020.

3.2 The pay multiples in Section 6 of the Statement are based on the latest pay scales. The multiple between the pay of the Council's highest paid employee and the lowest paid employee is 1:7.30 which is a slight increase compared to 1:7.05 in 2019/2020.

3.3 The multiple between the pay of the Council's highest paid employee and the median salary is 1:5.67 which is a slight decrease compared to 1:5.72 in 2019/2020.

4.0 Financial Implications

4.1 There are no financial implications arising from this report.

5.0 Corporate Implications

Employment Implications

5.1 There are no employment implications arising from this report.

Legal Implications

5.2 None directly.

Corporate Plan Implications

5.3 None directly.

Risk Impact

5.4 None directly.

6.0 Community Impact

Consultation

6.1 None required.

Equality and Diversity Impact

6.2 Equal Pay Audits are undertaken in line with the Council's pay structure. The Council's Equality, Diversity and Inclusion Action Plan will include a review of HR policies including those relating to pay.

Social Value Impact

6.3 The aim of the Pay Policy is to ensure that the Council's approach to setting pay is accessible and to enable local people to take an informed view of whether local decision on all aspects of remuneration are fair and make the best use of public funds.

Environmental Sustainability

6.4 None.

7.0 Conclusions

7.1 The Localism Act 2011 requires the Council to have and publish annually a Pay Policy Statement on its website.

8.0 Background Papers

8.1 Pay Policy Statement 2020/2021 attached.

Pay Policy Statement 2020/2021

Organisational Development and Performance
April 2020

Document Control

Version Control

Printed documents are uncontrolled. This document is only valid on the day it was printed.

Version	Description of Version	Effective Date
1.0	Pay Policy Statement	1 st April 2014
2.0	Pay Policy Statement 2015/2016	1 st April 2015
3.0	Pay Policy Statement 2016/2017	1 st April 2016
4.0	Pay Policy Statement 2017/2018	1 st April 2017
5.0	Pay Policy Statement 2018/2019	1 st April 2018
6.0	Pay Policy Statement 2019/2020	1 st April 2019
7.0	Pay Policy Statement 2020/2021	1 st April 2020

Approvals

Approved by	Date
Full Council	

Associated Documentation

Description of Documentation	



1.0 INTRODUCTION

- 1.1 This Pay Policy Statement for 2020/2021 has been produced in accordance with the requirements of the Localism Act 2011, which requires that a Pay Policy Statement is published annually. The Council's statement takes into account the guidance provided as well as the provisions of the Act.
- 1.2 Local Authorities should include in their Pay Policy Statements information in relation to:
- The remuneration of their most senior employees.
 - The remuneration of their lowest paid employees.
 - The relationship between the remuneration of their most senior employees and that of other employees.
- 1.3 This Pay Policy Statement is also linked to the Council's Workforce Development Strategy.

2.0 STATUS OF THE PAY POLICY STATEMENT

- 2.1 The Act makes it clear that the Pay Policy Statement for each financial year must be approved by Full Council. The approved policy will be published on the Council's website.
- 2.2 The Pay Policy Statement is reviewed on an annual basis. Each new version of the policy will be approved by Full Council. This will take place at the nearest meeting of the Full Council to the 1st April each year.
- 2.3 The Pay Policy Statement can be amended during the course of a financial year with approval by Full Council.

3.0 TRANSPARENCY AND AUTONOMY

- 3.1 The Council recognises and welcomes the aims behind the requirement for a Pay Policy Statement which are to:
- Ensure that the Council's approach to pay is accessible for all.
 - Enable local people to take an informed view of whether local decisions by the Council are fair and make the best use of public funds.
- 3.2 The Council also welcomes the Government's recognition that each local authority remains an employer in its own right and has the autonomy to make decisions on pay that are appropriate to local circumstances and continue to deliver value for money for the community.



4.0 **REMUNERATION OF THE COUNCIL'S SENIOR EMPLOYEES**

4.1 The Council's senior employees are:

- Chief Executive and Head of Paid Service.
- Two posts at a Director level. These posts report to the Chief Executive. The Directors are:
 - Strategic Director – Service Delivery
 - Strategic Director - Corporate Services. This role also undertakes the role of Chief Finance Officer (CFO) in accordance with S151 of the 1972 Local Government Act that requires the Council to make arrangements for the proper administration of its financial affairs.
- Heads of Service. These twelve posts are responsible for specific service areas and report to either a Strategic Director or the Chief Executive. The Heads of Service are:
 - Head of Planning
 - Head of Cultural and Community Services
 - Head of Operational Services
 - Head of Environmental Health
 - Head of Housing
 - Head of Finance
 - Head of Customer Services
 - Head of Business Change and ICT
 - Head of Organisational Development and Performance
 - Head of Corporate Property
 - Head of Legal and Democratic Services and Monitoring Officer
 - Head of Economic Development and Growth

4.2 For information on the Council's Monitoring Officer please see paragraph 5.11.

Background

4.3 The Chief Executive and Strategic Directors are the Council's Leadership Team. These senior employees are responsible for working with elected politicians to deliver the overall strategic direction of the Council, to manage the Council's financial and other resources, to develop the scale, nature, efficiency and effectiveness of all the services provided by the Council and to provide day-to-day management of those services.



Overall policy on the remuneration of senior posts

- 4.4 The Council's overall approach to the remuneration of its senior posts is based on:
- Compliance with equalities (including equal pay) legislation.
 - Ensuring that its overall remuneration packages align with comparable posts in local government whilst taking into account:
 - Relevant pay data from similar authorities to allow meaningful benchmarking to be undertaken.
 - The responsibility of posts and their level in the Council.
 - The trend towards slimmer senior management structures comprising posts with wider spans of responsibilities.
 - National terms and conditions of employment that apply to senior posts.
 - External professional advice provided by the Local Government Association
- 4.5 The Council will seek to maintain this overall approach by periodically monitoring pay data provided by such organisations as the Local Government Association. This period is determined by the Council. The last review of pay for the Chief Executive and Strategic Directors was completed in December 2017 and for Heads of Service in December 2018.
- 4.6 In terms of pay differentials for its senior posts, the Council recognises that:
- The role of Chief Executive and Head of Paid Service leads the Council workforce and has the greatest level of accountability. This post therefore warrants the highest level of pay in the Council.
 - The Directors report directly to the Chief Executive. These posts have a wide span of responsibility for a number of service areas and in turn have a number of managers reporting to them. These posts therefore warrant the next highest pay level below that of the Chief Executive and Head of Paid Service.

Developing pay scales for senior posts

- 4.7 The Council has determined the pay scales for its senior posts locally. It is the Council's policy that all pay scales are approved by the Council's Finance and Management Committee. With regard to the latest review of the pay scales for senior posts the Council a Remuneration Panel was appointed consisting of Elected Members to develop and recommend, in accordance with a project brief, the relevant pay scales.
- 4.8 An independent organisation, the Local Government Association (LGA), was commissioned by the Council to advise the Remuneration Panel.



- 4.9 Part of the LGA's remit is to assist local authorities to create pay solutions. Its work also leads to the development of national conditions of service and pay scales. The LGA has access to national pay data surveys e.g. the salary and numbers surveys for the Joint National Councils for Chief Executives and for Chief Officers. Using its experience of developing pay models and pay scales the LGA identified relevant pay data which enabled the Council's pay scales for the Chief Executive's post and the Directors posts to be benchmarked against the pay scales for similar posts in comparable District Councils.
- 4.10 Based on this information recommendations were made to the Finance and Management Committee by the Remuneration Panel on the pay scales for the Council's senior posts. The current pay scales for the Council's senior posts are discussed below.

Remuneration of Senior Posts

- 4.11 The pay scale for the Chief Executive and Head of Paid Service consists of five incremental points. Progression through the scale is usually on an annual basis that takes effect on 1st April each year.
- 4.12 The new, revised pay scale for the Council's Directors consists of four incremental points. Progression through the scale is usually on an annual basis that takes effect on 1st April each year.
- 4.13 The scales have a bar beyond which further progression is subject to the post holder meeting stated performance criteria.
- 4.14 Details of actual senior officer remuneration are included in the Council's Annual Statement of Accounts (**Note 27**)
- 4.15 The last national pay award for senior officers was in April 2019.

Local Government Pension Scheme (LGPS)

- 4.16 Membership of the Local Government Pension Scheme is subject to the rules of the scheme and contribution rates are set by legislation. When individuals are already in receipt of a local government pension they are subject to the rules on abatement of pension within the scheme.

Pay awards

- 4.17 The salaries of senior posts are increased in line with any national pay award agreed by either the Joint National Council for Chief Executives or the Joint National Council



for Chief Officers whichever is appropriate. Any changes are normally implemented with effect from 1st April each year.

Overtime, etc.

- 4.18 There are no other additional elements of remuneration in respect of overtime, flexi-time, bank holiday working, stand-by payments paid to the above senior posts as they are expected to undertake duties outside their contractual hours and working patterns without additional payment.

Remuneration of Senior Employees on Recruitment

- 4.19 The Council's practice is that any newly appointed senior manager will start at the lowest pay point in the pay range for their job, other than when the particular skills and experience of the successful candidate merit a higher starting salary.
- 4.20 In line with the Council's procedure for senior officer appointments the appointment of a Chief Executive must be approved by Full Council.

5.0 EMPLOYEES IN POSTS BELOW A DIRECTOR

Key Principles

- 5.1 The Council aims to provide fair and equitable remuneration arrangements which enable it to recruit, retain, motivate and develop staff with the skills and capabilities necessary to ensure the continued provision of high quality services that are cost effective and provide value for money.
- 5.2 The Council's employment policies comply with the provisions of the Equality Act 2010, which includes equal pay, and other relevant employment legislation.
- 5.3 Currently an employee's pay is based on either a pay scale, through which employees may progress until the top of the scale is reached, or a fixed salary point. In some cases progression through a grade is dependent upon specified criteria (e.g. the attainment of a required qualification). The Council's pay structure is based on the national pay spine, as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service. The national pay spine has been amended with effect from 1 April 2019 and the Council's pay structure has been amended to reflect this. This structure has been subject to Equal Pay Audits.
- 5.4 The Council reviewed its pay and grading structure for the posts below Director Level in 2018, which included undertaking a job evaluation exercise. This was carried out by an external, independent, consultant in conjunction with the recognised Trade Unions and members of the Senior Management Team. A revised pay and grading



structure, for posts below Director level was implemented with effect from 1st April 2019.

National Conditions of Service

- 5.5 The employment terms and conditions of service for most of the Council's employees below Director/Chief Officer level are those of the National Joint Council (NJC) for Local Government Services as amended and/or supplemented by any local agreements with the Council. Any annual pay award is agreed by this NJC and is usually effective on 1st April each year.
- 5.6 The exception is craft employees, whose pay and conditions of service is determined by the Joint Negotiating Committee (JNC) for Local Authority Craft & Associated Employees. Pay for this group is set nationally according to trade type, i.e. it is a fixed - point salary with no incremental points. Pay awards are also negotiated nationally by this JNC and are normally effective from 1st April each year.
- 5.7 As a result of a TUPE transfers of staff, in April 2018, the Council also has a small number of employees on terms and conditions of employment that are outside of national conditions of service but that are protected under the terms of the TUPE regulations and existing employment law.

Definition of lowest paid employees

- 5.8 The definition of the "lowest-paid employees" for the purposes of this Pay Policy Statement is those full-time employees who are paid on grade LACR03
- 5.9 The current annual full-time equivalent value of this pay level, based on a 37-hour standard working week, is £17,784 per annum (last pay award 1st April 2019). This equates to an hourly rate of £9.22 which is above the National Living Wage of £8.72 per hour.

Remuneration of lowest paid employees

- 5.10 For the purposes of this policy statement, remuneration includes the employee's basic annual salary and any allowances or other similar payments, benefits in kind, any increases or enhancements to any pension entitlement and any termination or other severance payments.

The Council's Monitoring Officer

- 5.11 The role of Head of Legal and Democratic Services and Monitoring Officer includes the additional statutory responsibilities of Monitoring Officer. Remuneration for this additional responsibility is now included within the substantive grade for the post.



Modern Apprentices

- 5.12 The Council offers Modern Apprenticeships in line with the national scheme. Apprentices are paid less than the Council's lowest paid employees, which reflects the particular nature of their role, together with experience and training requirements.

Other elements of remuneration

- 5.13 The other elements of remuneration which it is the Council's policy to offer to its employees is set out in the table in Appendix One. The element of remuneration offered depends on the job role and any job-related requirements e.g. to have a relevant qualification or travelling in order to perform the duties of the job.

6.0 PAY RELATIONSHIPS

- 6.1 The Council believes that the principle of fair pay is important to the provision of high quality and well-managed services and is committed to ensuring fairness and equity in its remuneration practices. The Council's pay policies, processes and procedures are designed to ensure that pay levels are appropriately aligned with, and properly reflect, the relative demands and responsibilities of each post, together with the knowledge, skills and capabilities necessary to ensure that the post's duties are undertaken to the required standard, as well as taking account of relevant market considerations. This includes ensuring that there is an appropriate relationship between the pay levels of its senior managers and of all other employees.

Pay differences - senior posts

- 6.2 The pay differential between the senior management posts has been set following research undertaken on behalf of the Council by the LGA, an independent organisation and subsequently approved by the Council's Finance and Management Committee.

Pay multiples

- 6.3 A "pay multiple" is the ratio between the highest paid salary and median average salary of the whole of the Council's workforce. On this basis, the current pay multiple is **1:5.67** (2019/20 – 1:5.72). This is based on the median basic salary for the whole workforce of £22,911 (£22,462 in 2019/20).
- 6.4 The pay multiple between the basic salary and allowances of its highest paid employee and the lowest paid employees, as defined in this statement is **1:7.30** (2019/20 – 1:7.05)

7.0 DECISIONS ON PAY

- 7.1 The Council recognises the importance of ensuring openness and transparency and high standards of corporate governance, with clear lines of accountability, in its pay



decision-making processes and procedures. Any pay-related decisions must be capable of public scrutiny, be able to demonstrate proper and appropriate use of public funds and ensure value for money. The arrangements adopted by the Council are designed to reflect these requirements, as well as ensuring compliance with all relevant legislation and other statutory regulation.

7.2 When the need arises for the Council to appoint a Chief Executive and Head of Paid Service or Director, the Council will comply with its Senior Officer Appointment Procedure for external appointments. This includes the appointment of a Recruitment and Selection Panel of Elected Members.

7.3 The authority to delegate the appointment to a Recruitment and Selection Panel is sought in the case of:

- Head of Paid Service: From Full Council.
- Strategic Director: From the Finance and Management Committee.

7.4 The appointment of the Chief Executive (Head of Paid Service) will require a decision by Full Council.

7.5 Appointments below Director are made by a panel of appropriate managers.

8.0 AMENDMENTS TO THIS PAY POLICY STATEMENT

8.1 This pay policy statement relates to the financial year 2020/2021.

8.2 The Council may agree any amendments to this pay policy statement during the financial year to which it relates.

9.0 PUBLICATION OF AND ACCESS TO INFORMATION

9.1 This pay policy statement will be published on the Council's website after it has been approved by Full Council. Any subsequent amendments made during the financial year will also be similarly published.

9.2 For further information about this pay policy statement please contact Frank McArdle, Chief Executive (01283 595700) or email frank.mcardle@southderbyshire.gov.uk



Appendix One

OTHER PAYMENTS AND ALLOWANCES

The Council operates a transparent pay structure that reflects the relevant duties and responsibilities of each post within the organisation. The Council also recognises that it must pay other payments and allowances to certain individuals or groups of employees to reflect their duties or to attract and/or retain employees. Any payments or allowances are open to all employees. The Council considers this to be justified on the basis that to maintain services for the Community demands a properly resourced and skilled workforce.

Pay Progression

For most posts on pay scales incremental progression through each scale will be applied on the 1st April each year. Employees with less than six months service in the scale by 1st April will be granted their first increment six months after their appointment, promotion, or re-grading. The exception would be where an employee's salary on the 1st April following, promotion or re-grading would be less than one spinal column point in excess of the salary they would have received on that day in their old Scale with the Council; in which case they shall be entitled to their first increment on the 1st April.

There are some posts that have a bar that prevents incremental progression through the Scale. To go beyond the bar the post holder must satisfy certain criteria (e.g. the attainment of specified competencies or the attainment of a required qualification).

Market Supplements

The Council recognises that pressures in the labour market can mean that pay levels for a particular type of job or profession can be such that the Council's normal pay level would not be competitive to enable it to recruit or retain an employee in that function. In that case, the Council would consider the application of a market supplement.

Local Government Pension Scheme (LGPS)

There are a number of discretions available under the Local Government Pension Scheme which is applicable to all employees. The details of these can be seen in the Council's published Policy Statement on Pensions Discretions.

These discretions were reviewed in June 2014, to take into consideration the changes in the Local Government Pension Scheme and which were approved by Finance and Management Committee on 26th June 2014.

The Council also has policies on Flexible Retirement, Redundancy, Voluntary Redundancy and Retirement on Efficient Exercise Grounds.



Employees who are members pay a contribution to the LGPS which is based on their annual full-time equivalent pensionable pay (including pensionable allowances). Contribution rates are nationally set and currently range from 5.5% and 12.5%.

The Council's contribution towards the pension scheme for the year 2020/2021 is 14.8% of an individual's pensionable pay. In addition, the Council will make a lump sum payment during the year towards the past service deficit on the current Pension Fund. This is estimated at approximately £678,000 for 2020/21.

Payments on Termination of Employment

The Council's approach to the termination of employment of Senior Officers (and all other employees) is set out in:

- The discretions the Council has adopted under the regulations of the Local Government Pension Scheme (see above table).
- Its policies on Flexible Retirement, Redundancy, Voluntary Redundancy and Retirement on Efficient Exercise Grounds.

All payment/costs arising from the application of the above must be approved beforehand by the Council's Finance and Management Committee.

Removal/Relocation expenses

Where employees need to move house in order to take up an appointment with the Council, the Council will reimburse their removal, legal and other associated relocation costs in accordance with its Relocation Policy. The policy requires repayment in full if the employee leaves within two years of appointment.

Additional responsibility payments

Where employees are required to undertake additional responsibilities for a temporary period of time, they may receive an additional payment in recognition of these. This policy does not apply to Directors and above.

Mileage payments

Specific posts identified by the Council attract a Car Allowance. These are paid in accordance with nationally agreed rates set by the NJC for Local Government Services. They are:

	451 to 999cc	1000 to 1199cc	1200 to 1450cc
Essential Users			
Lump sum per annum	£846	£963	£1,239
Per mile first 8,500	36.9p	40.9p	50.5p
Per mile after 8,500	13.7p	14.4p	16.4p
Casual Users			



Per mile first 8,500	46.9p	52.2p	65.0p
Per mile after 8,500	13.7p	14.4p	16.4p

The above rates are current at 1st April 2020 but may be subject to change during the period of this Pay Policy Statement as a result of changes made by the NJC for Local Government Services.

Professional Subscriptions

The Council pays one professional subscription in relation to specific posts. This applies where it is a requirement of the post for the employee to be a member of a professional body and it is a payment of the annual membership only.

Reimbursement of Subsistence or Other Expenses

In accordance with the requirements of the National Conditions of Service set by the NJC for Local Government Services, the Council makes provision for the reimbursement, up to a maximum specified limit, of approved expenses by employees. Actual expenditure only can be claimed and the current maximum amounts claimable are as follows:

Minimum time away from normal workplace or home outside of normal working hours	Maximum Allowance
5 hours	£5.00
10 hours	£10.00
15 hours (and ongoing)	£25.00

Car Parking: Fee incurred

Certain conditions must be met for approval of reimbursement of the above expenses. The Expenses Policy was last reviewed in October 2017.

Mobile Telephones

Mobile telephones are provided to employees when necessary for them to undertake their duties effectively and safely. The Council pays the cost of line rental, and business calls. Employees are required to pay for any personal use.



Landline Telephones

A scheme of reimbursement applies to certain officers who are required to have a landline installed, in particular those officers who are listed in the Council's Emergency Plan.

Election Fees

The Chief Executive receives fee payments pursuant to their appointment as Returning Officer at elections. The fees paid vary according to the type of election, the size of the electorate and the number of postal voters.

Fee payments for national, referenda and other elections are set by central government and are, in effect, not paid by the Council, as the fees are reclaimed. Separate payments are made to the Deputy Returning Officer(s) and other members of staff who work as part of the elections team and are commensurate with time spent undertaking election duties.

Payments for Additional Working

The NJC Conditions of Service make provision for employees graded up to spinal column point 22 (currently £26,317 per annum) who undertake work outside of normal working hours, to receive appropriate overtime payments. Those above point 22 are permitted to take time off in lieu for any agreed additional hours worked.

This provision is not available to senior officers whose Conditions of Service are determined by the JNC for Chief Executives or Chief Officers.



REPORT TO:	FULL COUNCIL	AGENDA ITEM: 8
DATE OF MEETING:	15th JULY 2020	CATEGORY: RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	FRANK MCARDLE frank.mcardle@southderbyshire.gov.uk 01283 595702	DOC:
SUBJECT:	LOCAL GOVERNMENT ASSOCIATION - PEER REVIEW REPORT	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Council welcomes and endorses the Key Recommendations set out in the Corporate Peer Challenge report set out at **Appendix 1**.
- 1.2 That Council resolves to form a Member/Officer working group to action the Key Recommendations set out in the report.
- 1.3 That Council be updated with ongoing progress against the Key Recommendations.

2.0 Purpose of the Report

- 2.1 The Council commissioned a Local Government Association (LGA) Corporate Peer Challenge in October 2019.
- 2.2 Corporate Peer Challenges are fully funded and have been designed to identify strengths and any areas for improvement. The Peer Challenge programme is sector-led (delivered by local government colleagues and Members from other local authorities).
- 2.3 It is anticipated that the Council will commission a future Peer Challenge within the next 5 years.

3.0 Executive Summary

- 3.1 The peer team spent 3 days onsite at the Civic Offices, during which they spoke to more than 80 people and gathered information and views from more than 34 meetings, as well as visiting key sites in the area. The team was as follows;

- **Yvonne Rees**, Chief Executive of Cherwell District Council and Oxfordshire County Council
- **Cllr Sam Chapman-Allen**, Leader of Breckland Council
- **Julie Whittaker**, Pendle Borough Council, Housing, Health and Engineering Services Manager
- **Jonathan Lund**, Gloucester City Council, Corporate Director, Transformation
- **Clair Parker**, Regional Policy Lead, Yorkshire and Humber

- **Frances Marshall**, Peer Challenge Manager, Local Government Association

3.2 The peer team considered the following five questions which form the core components looked at by all Corporate Peer Challenges.

- **(1) Understanding of the local place and priority setting:** Does the Council understand its local context and place and use that to inform a clear vision and set of priorities?
- **(2) Leadership of Place:** Does the Council provide effective leadership of place through its elected members, officers and constructive relationships and partnerships with external stakeholders?
- **(3) Organisational leadership and governance:** Is there effective political and managerial leadership supported by good governance and decision-making arrangements that respond to key challenges and enable change and transformation to be implemented?
- **(4) Financial planning and viability:** Does the Council have a financial plan in place to ensure long term viability and is there evidence that it is being implemented successfully?
- **(5) Capacity to deliver:** Is organisational capacity aligned with priorities and does the Council influence, enable and leverage external capacity to focus on agreed outcomes?

3.3 In addition to these questions, the Council asked the peer team to provide feedback on growth and customer services.

3.4 During the days on site the peer team met with;

- Elected Members
- The Leadership Team and Officers
- Partner Organisations
- Members of the public.

3.5 Overall, 284 hours of interviews and assessments have been brought together into the report setting out the team's findings and recommendations.

4.0 Detail

4.1 The Corporate Peer Challenge report states the Council has much to be proud of and is serving its community well with highly regarded services, strong partnership working, and has a regionally renowned track record of driving growth for district wide prosperity.

4.2 There are a range of observations and suggestions within the Feedback Report and these are set out in the Key Recommendations set out at Appendix 1.

4.3 It is proposed that an action plan be devised to address the Key Recommendations set out in the Feedback Report, through a joint working group of Members and Officers. Updates on progression of the plan will be provided to a future meeting of the Council.

5.0 Financial Implications

5.1 There are no direct financial implications arising from this report.

6.0 Corporate Implications

Employment Implications

6.1 None.

Legal Implications

6.2 There are no direct legal implications to this report but any Constitutional changes that are proposed in the action plan will be brought back to Members for approval.

Corporate Plan Implications

6.3 The Corporate Peer Challenge report makes several references to the Council's Corporate Plan 2020 – 2024. It is acknowledged the promotion of the Plan will be central to achieving the Council's aspirations.

Risk Impact

6.4 None.

7.0 Community Impact

Consultation

7.1 Consultation with Partners and Stakeholders.

Equality and Diversity Impact

7.2 None.

Social Value Impact

7.3 None.

Environmental Sustainability

7.4 None.

8.0 Conclusions

8.1 The Peer Review Team recognised that the Council is in a strong position to achieve its ambitions and they went on to say that now is the time to seize the moment.

9.0 Background Papers

9.1 Corporate Peer Challenge Feedback Report.

Corporate Peer Challenge **South Derbyshire District Council**

23 – 25 October 2019

Feedback Report

1. Executive Summary

South Derbyshire District Council (SDDC) has much to be proud of. It is serving its community well with highly regarded services, strong partnership working, and has a regionally renowned track record of driving growth to create district wide prosperity.

The Council should be more confident in showcasing these successes and communicating its vision and aspirations more extensively. It should do this not just within its own community and workforce, but across the wider national local government community. A more outward looking approach will help SDDC in seeking to be “*champions of excellence*”, so as to learn from good practice and innovative ideas from elsewhere, as well as share its own insights with others. This will also help raise its profile.

Although there is currently no shared understanding of South Derbyshire’s unique selling points or ‘brand’, there is a desire from councillors, residents and partners alike to develop this. This place narrative needs to be defined and widely communicated, so it is shared and owned by councillors, staff, communities and partners.

With the emergence of the 2020-2024 Corporate Plan, there is a great opportunity to strengthen political leadership, with the Corporate Plan providing the catalyst through which to deliver SDDC’s intent. Senior councillors in leadership positions must be ‘front and centre’ in setting the strategic direction for the Council and owning this vision. By establishing a higher profile for political leaders in relationships with partner organisation this will enhance SDDC’s ability to shape outcomes across the district and beyond by utilising to full effect elected members democratic mandate and powerful advocacy role.

There is a highly regarded officer team, with the Chief Executive leading from the front. Staff are an asset, being both committed and proud to work for South Derbyshire. Although still bedding in, the new organisational management structure has been widely welcomed and is an important step in strengthening organisational resilience and succession planning. Further activity will be required to maximise the impact and success of the new structure more fully, such as: clarifying the roles and responsibilities of the Leadership Team and Heads of Services; matrix working at a senior level; and raising the profile of external facing officers.

Partnership working is a particular strength, with one stakeholder describing SDDC as “*the best local authority*” they work with. The Council’s enabling and proactive approach translating into on the ground delivery is particularly apparent on the growth agenda (e.g. significant housing delivery, strong business investment and growth, low unemployment, skill development, creation of community and recreational facilities). There are nevertheless untapped benefits to be realised from further collaboration, and opportunities to do more around housing growth and infrastructure to further strengthen growth activities, and with the community voluntary sector (CVS) to deepen community intelligence and empowerment. With a genuine desire from partners across the piece to work more closely with SDDC, this is an opportunity the Council should seek to capitalise upon.

Organisationally there is a drive to modernise service delivery, with a particular focus on enhancing customer service. This change agenda is at an early stage, reflecting the fact that SDDC has not had to respond to the same financial imperative as many other local authorities. This means there is a great opportunity to now lay down strong foundations which will enable SDDC to realise its full transformative potential and to drive service improvement at pace. To do so, transformation and customer service goals need to be articulated and activities need to be coordinated, strategically driven and collectively owned, with steps taken to simplify, streamline or eliminate existing barriers to change and organisational development. Transformation needs to be owned and led at a senior

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Chief Executive: Mark Lloyd

Local Government Association company number 11177145 Improvement and Development Agency for Local Government company number 03675577

political and officer level if SDDC is to realise its ambitions. This will enable SDDC to unlock productivity and accelerate the speed of delivery.

An organisational-wide understanding of SDDC's financial position and its direction of travel is not clearly or consistently articulated across the organisation. Establishing a clear, collectively understood financial narrative that articulates SDDC's financial position now and into the future, will be critical to driving this change forward and will enable more expansive financial planning. The development of aligned Commercial, Asset Management, Investment and Workforce Strategies will assist in establishing a more complete understanding of SDDC's financial situation. With a clearer financial narrative, councillors, staff and partners will be better able to buy into, and support delivery of, SDDC's ambitions, priorities and longer-term financial health.

SDDC is in a strong position to be able to achieve its ambitions; now is the time to seize the moment!

2. Key recommendations

There are a range of suggestions and observations within the main section of the report that will inform some 'quick wins' and practical actions, in addition to the conversations onsite, many of which provided ideas and examples of practice from other organisations. The following are the peer team's key recommendations to the Council:

- 1) **Be confident and consistent in celebrating your successes – internally and externally.** By promoting SDDC more extensively and assertively, this will strengthen your influence within the district and beyond, as well as showcase the good work being undertaken on residents' behalf.
- 2) **Develop the South Derbyshire 'brand' to articulate the Council's ambitions for the area and communicate it consistently.** This will establish a powerful place narrative that the political and officer leadership, staff, stakeholders and community can coalesce behind and help deliver. Taking forward the recommendations of the Communications Health Check will assist you in doing this.
- 3) **Support the political leadership to be 'front and centre' in setting the strategic direction for the Council and owning this vision.** This will enhance SDDC's ability to shape outcomes across the district and beyond by utilising to full effect elected members' democratic mandate and powerful advocacy role.
- 4) **Review and clarify the roles and responsibilities of the strategic Leadership Team and new operational Heads of Services.** Having clearly defined remits will drive service improvements by making empowerment tangible, strengthening trust and supporting agile decision-making.
- 5) **Simplify, streamline or eliminate existing barriers to change and organisational development to accelerate decision making.** This will unlock productivity and accelerate the speed of delivery. It should include:
 - a) Altering the Scheme of Delegation within the Constitution to reflect this;
 - b) Developing a concise 4 year Delivery Plan to underpin the Corporate Plan; and
 - c) Making empowerment tangible.

- 6) **Create a narrative understood by all, that clearly articulates your financial position now and into the future.** This will support more informed, expansive financial planning, and will enable councillors, staff and partners to help contribute to SDDC's longer term financial sustainability (Recommendations 7, 8 and 9 will help you achieve this).
- 7) **Develop a shared understanding of what commercialisation means for South Derbyshire District Council (SDDC).** This will encourage organisational wide ownership of the commercial agenda, provide a framework through which to consider future proposals, and identify whether they fit with SDDC's risk appetite.
- 8) **Develop aligned Asset Management, Investment and Workforce Strategies to drive forward financial sustainability and provide councillors with appropriate assurances.** This will enable agile and joined up decision-making by providing strategic direction for SDDC's overarching commercial and investment choices and a strategic framework for councillors so that decisions are made in line with strategic plans.
- 9) **Develop a Transformation Programme that is: driven by a Strategic Director and lead Councillor; organisation wide; collectively owned; and underpinned by strong programme management.** This will unlock efficiencies, drive service improvement and facilitate a step change in SDDC's pace of transformation.
- 10) **Councillors and officers to take a more active role on the regional and national stage, and look beyond SDDC's borders to learn from - and share - good practice.** This will support SDDC's ambition to be "*champions of excellence*" through learning from good practice and innovative ideas from elsewhere, sharing your own learning, and developing a higher profile.

3. Summary of the Peer Challenge approach

The peer team

Peer challenges are delivered by experienced elected member and officer peers. The make-up of the peer team reflected your requirements and the focus of the peer challenge. Peers were selected on the basis of their relevant experience and expertise and agreed with you. The peers who delivered the peer challenge at South Derbyshire District Council were:

- **Yvonne Rees**, Chief Executive of Cherwell District Council and Oxfordshire County Council
- **Cllr Sam Chapman-Allen**, Leader of Breckland Council
- **Julie Whittaker**, Pendle Borough Council, Housing, Health and Engineering Services Manager
- **Jonathan Lund**, Gloucester City Council, Corporate Director, Transformation
- **Clair Parker**, Regional Policy Lead, Yorkshire and Humber
- **Frances Marshall**, Peer Challenge Manager, Local Government Association

Scope and focus

The peer team considered the following five questions which form the core components looked at by all Corporate Peer Challenges. These are the areas we believe are critical to councils' performance and improvement:

1. Understanding of the local place and priority setting: Does the Council understand its local context and place and use that to inform a clear vision and set of priorities?
2. Leadership of Place: Does the Council provide effective leadership of place through its elected members, officers and constructive relationships and partnerships with external stakeholders?
3. Organisational leadership and governance: Is there effective political and managerial leadership supported by good governance and decision-making arrangements that respond to key challenges and enable change and transformation to be implemented?
4. Financial planning and viability: Does the Council have a financial plan in place to ensure long term viability and is there evidence that it is being implemented successfully?
5. Capacity to deliver: Is organisational capacity aligned with priorities and does the Council influence, enable and leverage external capacity to focus on agreed outcomes?

In addition to these questions, you asked the peer team to provide feedback on growth and customer services.

The peer challenge process

It is important to stress that this was not an inspection. Peer challenges are improvement focussed and tailored to meet individual councils' needs. They are designed to complement and add value to a Council's own performance and improvement. The process is not designed to provide an in-depth or technical assessment of plans and proposals. The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

The peer team prepared for the peer challenge by reviewing a range of documents and information in order to ensure they were familiar with the Council and the challenges it is facing. The team then spent 3 days onsite at South Derbyshire District Council, during which they:

- Spoke to more than 80 people including a range of Council staff together with councillors and external partners and stakeholders.
- Gathered information and views from more than 34 meetings, visits to key sites in the area and additional research and reading.
- Collectively spent more than 285 hours to determine their findings – the equivalent of one person spending more than 6 weeks in South Derbyshire.

This report provides a summary of the peer team's findings. It builds on the feedback presentation provided by the peer team at the end of their on-site visit on 23 – 25 October 2019. In presenting feedback to you, they have done so as fellow local government officers and members, not professional consultants or inspectors. By its nature, the peer challenge is a snapshot in time. We appreciate that some of the feedback may be about things you are already addressing and progressing.

4. Feedback

4.1 Understanding of the local place and priority setting

South Derbyshire District Council (SDDC) is delivering well for its community, and has much to be proud of. It is held in high regard by a wide range of partners, and its services are performing well. Notable achievements include: strong business engagement leading to inward investment and growth; ISO1400 accreditation for ten years in a row; affordable housing delivery above targets; Green Flag Awards; a Bronze Green Apple International Award; fifth highest number of FSA rated five star Food Businesses in the country; and high tenant satisfaction rates. The Council should be confident in proclaiming its successes, not just locally within its own communities and workforce, but also across the wider national local government community.

The Council has a clear understanding of its place, and has demonstrated its ability to be responsive to socio-economic, demographic and environmental change. For example, with the decline of traditional local industries (mining and pottery manufacturing), it has utilised its geographic position and inter-connectivity to diversify its economy with an 'open for business' approach. In doing so, it has secured inward investment, attracted major international companies, supported local SMEs, and sought to match local skills provision to future business need (e.g. Toyota, JCB, Nestlé, low unemployment rates).

SDDC has one of the fastest growing populations nationally, and with a third of the district being in the National Forest, SDDC recognises the need to balance the infrastructure, environmental and service pressures that growth brings. Its environmental focus is apparent through its commitment to being Carbon neutral by 2030, advancement of green infrastructure in developments and promoting environmental responsibility with partners (e.g. National Forest, Businesses, Environmental Education Projects). Furthermore, the Council's growth agenda is driven by an inclusive focus on the community, with the aspiration to drive community-wide prosperity. Evidence of this can be seen in the Stenson Fields development, Nestlé, and creation of leisure and retail facilities across the district (e.g. Etwell and Green Bank leisure centres, Golf course, Cinema, Rosliston Forestry Centre). As with all district councils, SDDC has an important role to play in public health and prevention. Whilst SDDC is engaged in this agenda, this was not reflected in the conversations the peer team had during their visit. SDDC may wish to consider how health and prevention priorities can be more prominent, and embedded, across the breadth of its activities.

The Council uses a number of consultation and communication channels to understand its communities and to inform its priorities (e.g. social media, Area Forums.) With a growing population, persistent pockets of deprivation and groups outside the labour market, there is scope to do more to broaden and deepen SDDC's community intelligence and empowerment. For example, SDDC should consider enhancing its: customer and resident insight; community-wide engagement; and collaboration with partners and communities. Area Forums are recognised as a useful method of community engagement. There is however an opportunity for SDDC to take them to the next level (e.g. road shows, marketplaces, co-design and delivery with the CVS). With a willingness from community and voluntary sector (CVS) partners to collaborate with you on this, there is a great opportunity to broaden and deepen community engagement.

'South Derbyshire' has the potential to develop a genuinely valuable and marketable brand. Councillors, residents and partners share a desire to create a brand which recognises the district's rich identity including: the National Forest, industrial heritage, blend of rural and urban, strong historical heritage, and dynamic growth. This potential is widely recognised, though not consistently articulated. More needs to be done to establish a shared understanding of South

Derbyshire's unique selling points and develop them into a consistent narrative which is communicated widely. Giving clear and consistent messages about the Council's vision and priorities for the future will help residents, stakeholders and staff not only to understand these ambitions, but also deliver upon them. SDDC should prioritise taking forward the recommendations of the Communications Health Check undertaken in November 2018 which sets out a route map for achieving this (e.g. invest time in creating the South Derbyshire narrative and brand, develop and implement the Communication Plan around it etc.).

The emerging Corporate Plan and its promotion will be central to achieving the Council's aspirations and the Council recognises this. The format of the refreshed Plan is short, snappy and engaging. This creates a great platform to ensure it is well understood and owned by councillors, staff, communities and partners alike. It is important that the Corporate Plan is backed up with analysis of intelligence and objective data, with community and stakeholder consultation as part of this. Annually refreshing the Corporate Plan is one way to help to achieve this. Once the Corporate Plan and priorities have been agreed by the corporate and political leadership, attention should be given to translate the Corporate Plan's ambitions into a Delivery Plan. This Delivery Plan should be aligned with the four year political term and the financial year to enable the political leadership and residents to hold delivery to account. This is important to monitor and manage performance, but also to demonstrate success to a wider audience.

4.2 Leadership of Place

SDDC takes an active role sub-regionally to promote and deliver shared agendas with partners. This is evident through examples such as the Leader Chairing the South Derbyshire Partnership Board, the Chief Executive being Lead officer for growth and regeneration on D2N2 and strong joint working with neighbouring District Councils and the County Council. The Council can have the confidence to take a more active role beyond the sub-region and enhance its regional and national profile (e.g. District Councils Network, LGA, think tanks and the media more widely). It should seek to have a more outward looking approach across all areas. In so doing, it can showcase its successes, as well as benefit from sharing learning, innovation and good practices from others which will help it in pursuing its ambition "*to be champions of excellence*".

Councillors and staff alike care passionately about South Derbyshire and this is evident in the manner in which the authority is perceived externally, and described by residents as "*positive and well run*." The Chief Executive in particular demonstrates visible leadership of place and is seen as the driving force for delivery across the full breadth of Council services. This is particularly apparent on the growth agenda where he has pursued an active role embodying the Council's 'open for business' ethos. The Chief Executive is keen to create room to enable colleagues to raise their and the Council's profile within and beyond the district. It will be important for external facing officers within the authority to step into this space so as to move towards a more distributed model of leadership in the external arena.

Ensuring that the senior political leadership of the Council are 'front and centre' in setting the strategic direction and owning Council policy is critical to SDDC realising its full potential to shape outcomes across the district and beyond. Supporting the political leadership (e.g. Leader, Deputy Leader and Committee Chairmen) to have a higher profile and more visible role in relationships with partner organisations should be a priority. This reflects not only the importance of their democratic mandate and powerful advocacy role, but also councillors' ability to use their networks, relationships and democratic accountability to move things forward for the district. The emerging

2020/24 Corporate Plan provides an ideal platform from which to reset this balance, and there is enthusiasm from the political leadership to do so.

There is also an opportunity to make more effective use of frontline councillors in promoting SDDC priorities and ambitions. Time should be taken to clarify the role and expectations of Member Champions and Outside Bodies appointees, with systematic officer support provided to councillors in these positions. This will enable councillors to fully understand how they can represent the Council's interests in these roles, and also the mechanisms for feeding back. This will strengthen councillors' agency as community champions, as well as improve SDDC's external engagement activities and intelligence.

There is a strong ethos towards partnership working, with SDDC described as "*the best local authority*" to work with by one stakeholder. Collaboration is evident across a broad range of partners, sectors and Council priorities, with joint working taking a variety of forms. These include: formal collaboration through partnership structures (e.g. South Derbyshire Partnership Board and its sub groups); shared services; co-location (e.g. County Council registrars); grant funding to deliver key projects (e.g. South Derbyshire CVS); and co-delivery (e.g. Hello Heritage, Rosliston Forestry Centre). The Council's enabling and proactive approach is widely recognised across a range of partners, and seen as key to translating into delivery on the ground. Examples include: significant business investments; the creation of Stephen Burke Construction Academy; and Hello Heritage. Partners are generally very positive about working with the Council and would like to support SDDC more to deliver shared priorities (see paragraph 4.5 for further details). Whilst closer partnership collaboration is one of the Council's ambitions for its new Civic Hub, SDDC may also want to explore more opportunities for integrated working with partners beyond Swadlincote (e.g. 'one stop shop' for services in more than one location across the district).

4.3 Organisational leadership and governance

While there is evidence of healthy, "positive" and "open" councillor and officer relationships, there is nevertheless scope to improve support to all councillors to better enable them to fulfil their roles. For example, the peer team heard that councillors and parish councils do not always receive timely responses to enquiries and requests for information, and that frontline staff are contacted directly by councillors. Attention should be given to fostering closer relationships between the Heads of Service (HoS) and all councillors so as to provide single points of contact through which councillors can raise service issues and receive resolutions in a timely manner. This will help establish greater trust and mutual respect, as well as ensure HoS have oversight and can drive better service within their teams. The Protocol for Member and Officer Relations can be an effective tool for driving and embedding this. As mentioned under paragraph 4.2, more also could be done to ensure senior councillors in leadership positions fulfil their important role in setting the strategic direction, owning this vision and holding officers to account. This will strengthen both political and managerial leadership.

SDDC operates a Committee system, with three main Policy Committees. Whilst councillors and officers have shared frustrations about the speed of decision-making (e.g. number of low level issues taken to committee for decision), the external focus of the Overview and Scrutiny Committee can be commended. The Overview and Scrutiny Committee has been encouraged to look outwards and has focussed on a wide range of issues which is an effective way of utilising scrutiny within a Committee system (e.g. broadband, play equipment, S106 funding).

South Derbyshire's Leadership Team is well respected by staff and partners. There is a positive organisational culture, in which staff are committed, feel proud to work for South Derbyshire and newly appointed staff are warmly welcomed into the team. In recent years, the Council has undergone organisational restructures at Senior Leadership and HoS level, with the most recent changes taking effect from 1 April 2019. The restructures have been designed to future proof the organisation by bolstering its resilience and improve succession planning. Several personnel were still very new in post at the time of the peer team's visit, yet it was apparent that the new organisational structure has been widely welcomed by staff and partners. The new structure should be seen as one part of a package of measures to mitigate the risk of single points of failure. Further work is required to achieve this across all service areas. Establishing matrix working within the organisation at a senior level will help to achieve this by empowering the HoS. The momentum created by the new structure and personnel provides a great opportunity to drive forward the Council's ambitions through the emerging Corporate Plan.

To harness this opportunity, a number of steps should be taken. Firstly, SDDC should invest in team development for the Leadership Team and HoS as a priority. This investment will be fundamental if SDDC is to seize the great opportunity it has before it to drive forward its improvement journey, powered by a cohort of HoS that are passionate to do so. Alongside this, the respective roles, remits and authority of the operational HoS and strategic Leadership Team should be clarified. Whilst empowerment of staff is promoted in principle, this does not consistently translate into tangible empowerment in practice (e.g. low level of officer delegation without Committee authorisation, decisions requiring Chief Executive sign-off). By having clearly defined remits, this will make empowerment tangible, strengthen trust, support agile decision-making and embolden HoS to 'think big,' and 'take ownership'.

Internal communication is an area which SDDC has sought to strengthen in recent months, and it recognises the challenge of keeping the workforce engaged in uncertain and changing times. There are a number of staff engagement mechanisms in place (e.g. staff forums, briefings, constructive Trade Union relations etc.) and there was an acknowledgement from the workforce that some improvements in internal communication have been made. For example the Employee Forum briefings have been welcomed by staff. There is nevertheless a perception of inconsistency in communications, interpretation and implementation of policy (e.g. appraisals, use of temporary contracts, access to training, sickness policy). Staff engagement and communication could be enhanced by developing a suite of tools for staff and managers which should be applied consistently. Possible options to consider include: undertaking a staff survey (e.g. the most recent dating from 2011), investing fresh effort into authority-wide appraisals for all staff; and utilising multiple mediums for communication.

4.4 Financial planning and viability

The Council has financial governance processes in place through its Budget and Medium Term Financial Strategy (MTFS) which are reviewed annually and scrutinised by members. There is, however, an absence of an organisational-wide narrative articulating South Derbyshire's financial position and its direction of travel, with SDDC's financial position not expressed clearly or consistently by councillors, staff or in core financial and strategic documentation. It is vitally important for the Council to establish as a matter of priority an organisational-wide understanding of SDDC's financial position and to construct a shared narrative around it. This will enable councillors, staff and partners to go on the journey with SDDC to drive financial sustainability (e.g. be bought into and contribute to financial management and service delivery targets).

SDDC's 2019/20 budget set a net General Fund Revenue spend of £13m and a deficit of £0.4m (as at February 2019). The Council appears to be cash rich with £10.4m in General Fund reserves (as at 31 March 2019). However, the 2019/20 budget does not include sufficient savings to balance the budget by year end, meaning it is reliant on the use of reserves or underspends. A high reliance on reserves is built into the Council's MTFS over the next five years (e.g. plans to reduce General Fund reserves to £2.6million by March 2024). Concern was expressed from within the Council about an element of "organisational complacency" relating to SDDC's financial position in years to come. As with all local councils, SDDC is facing significant uncertainties due to reducing central government funding and other future funding changes (e.g. Business Rates Retention, the Fair Funding Review, New Homes Bonus grants etc.). In this context, a stronger focus on budget forecasting, along with establishing the aforementioned financial narrative, will be important to support more informed financial planning in the short, medium and long term.

There is limited evidence of driving efficiency savings or a commercial approach to income generation. This reflects the fact that SDDC has not had to respond to the same financial imperative as many other local authorities (e.g. no shared understanding of commercialism, 2018/19 expenditure below budget, 2019/20 forecast to be below budget). The Council's overall approach appears to be risk averse (e.g. regular underspending, no borrowing). The political leadership however is willing to establish a more commercial approach, is supportive of exploring all options, and there is an appetite from staff to be creative. SDDC should therefore examine its appetite for risk to ensure it reflects the Council's ambitions. One element of this should be to establish a Fees and Charges policy. This will mean that such decisions are systematically taken as part of the annual budget setting process, which is informed by contextual information, sector comparators and knowledge of the true cost of delivery.

A number of further steps will be important to embed a culture of commercialism and to drive this agenda forward. Consideration should be given to developing a succinct Commercial approach that is coordinated and driven at a strategic level. This will support the development of an organisation-wide shared understanding of what commercialism means for South Derbyshire, with contributions from all service areas. Of equal importance is the development of aligned Asset Management, Investment and Workforce Strategies to drive forward financial sustainability. Together these will provide a framework through which councillors can provide strategic direction to the Council's overarching commercial and investment choices, and be assured that decisions are made in line with this. Simultaneously the framework will enable SDDC to operate flexibly and with speed as and when required. It will also bring together a more robust understanding of the financial situation.

4.5 Capacity to deliver

SDDC's workforce are an important asset, with frontline staff described as "*fantastic, caring and professional*". They are passionate and proud to work for South Derbyshire, describing the authority as "*considerate, developing, supportive, constructive and creative*". The Council recognises the value and importance of their workforce, describing them as "*the means by which we will achieve or fail.*" This is reflected in the fact that SDDC has a good track record of growing talent internally and is committed to developing and advancing staff (e.g. apprenticeships, Springboard Training Programme, professional qualifications, mentoring). Whilst there is strong evidence of investment in training and development, it is not consistent across the organisation. Strengthening consistency in the application of policies and practice will further enhance the positive staff morale and skill development to keep pace with the ever changing workforce landscape.

The time taken for decision-making, and the length of decision-taking processes, can inhibit SDDC from operating in a more flexible, agile and responsive manner (e.g. number of low level issues taken to committee for decision, HR change processes etc.). Steps should be taken to simplify, streamline and/or eliminate existing barriers to change and organisational development (e.g. decision-making, processes and procedures). This will unlock productivity and engender greater staff empowerment. One example of this would be altering the Scheme of Delegation within the Constitution to empower HoS to take decisions about the structure of their teams without Committee authorisation and within parameters to ensure a consistent approach. Accelerating the speed of decision-making will be critical to driving improved future delivery and help make empowerment more tangible.

To realise the full benefits of transformative change going forward, Transformation needs to be brought together into a single change programme (e.g. business change, organisational development, new Civic Hub accommodation), that is driven by a Strategic Director and lead Councillor, and underpinned by robust governance and programme management with a clear timeframe. It will be important to establish what transformation means to SDDC and why it is important (e.g. IT investment, new ways of working, channel shift, agile working, silo removal, culture shift, commercial working or partnership working). As part of this, a strong narrative is needed to demonstrate how changes within the Council will drive the delivery of the emerging Corporate Plan to councillors, staff, partners and the public. By doing so, this will enable Transformation to be clearly communicated, collectively owned and consistently delivered.

The creation of a Business Change Unit and Transformation Framework reflects SDDC's desire to unlock productivity and drive service improvements. As part of this, it has invested in new IT hardware, operating systems and software, as well as providing training and support for staff. Going forward SDDC should invest tactically to be able to deliver at pace, such as greater support for flexible working to unlock productivity, and considering the transformation end point in designing the Civic Hub. To show that SDDC is serious about transforming, care needs to be taken to ensure that the new Civic Hub reflects and accommodates the transformed SDDC and is not simply a recreation of the existing offices at a new location.

SDDC works with partners to leverage in resources and capacity to deliver jointly (e.g. CVS, Districts, County, LEP, Housing Provider, Shared Services). As mentioned under paragraph 4.2, there are nevertheless untapped benefits to be realised by maximising further partnership working (e.g. efficiency savings, minimise duplication, increased productivity and improved outcomes). With many partner organisations ready and willing to expand and deepen their joint working with SDDC, this is an opportunity not to be overlooked (e.g. CVS, Parish Councils, LEP, the National Forest etc.). The Corporate Plan will be an important tool in giving clear and consistent messages about SDDC's aspirations and ambitions so that partners can contribute to delivering the Council's priorities.

4.6 Economic Growth

SDDC can be rightfully proud of its achievements in planning, driving and managing growth to create district wide prosperity (e.g. securing inward investment, housing development, business growth etc.). The Council is renowned within the sub-region for having a strong track record in this area (e.g. achievements widely recognised by local authority partners, delivered 219 affordable dwellings against a target of 150 in 2018/19).

The Chief Executive has a clear vision for growth and has been instrumental in driving this agenda through developing good relationships with landowners, developers and businesses to achieve investment in the district. It is important that the new Corporate Plan encapsulates the Council's growth ambitions and that these priorities are reflected in budget setting. This will help engender collective ownership across SDDC, with all service areas understanding how they contribute. It will also enable the Council's vision for growth to be articulated internally and externally (e.g. staff, councillors, partners, businesses, community). It is important that this outward facing engagement and profile is shared across the senior political and officer leadership (see paragraph 4.2).

Engagement with businesses is a key strength, particularly on the skills agenda. This can be seen through: strong evidence of growth in key business and increased jobs (e.g. Toyota, TwoTwenty); South Derbyshire Business Advice Service to support business engagement; Skills Festivals; and work with Burton & South Derbyshire College focusing the local education curriculum on employers' skills needs and developing skilled jobs. As with all councils, the uncertainty surrounding the UK's membership of the European Union (EU) has the potential to impact on the local economy in the short, medium and long term. Given this, SDDC should explore further steps to mitigate the risk of overdependence on major employers. Accelerating its efforts to develop other sectors further (e.g. leisure and tourism including further accommodation to increase overnight stays) will help increase local economic resilience.

The substantial interest from housing developers in the area demonstrates confidence in the district. SDDC has the opportunity to do more in terms of housing growth and infrastructure to capitalise on existing strong relationships, whilst developing and strengthening others. For example, SDDC should seek to maximise working with funding providers to increase opportunities for infrastructure funding (e.g. with LEP, Homes England). Similarly, further work with registered providers could increase delivery of housing on Council-owned land.

SDDC is aware of the need to balance the associated pressures of growth with the need to protect the community and environment. There are good examples of community benefits from growth (i.e. housing choice, affordable housing, removal of derelict sites, improved site viability, leisure centres, cinema, golf course, community facilities etc.). The regeneration of Swadlincote town centre is also evidence of this success, with low vacancy rates, and an enviable range of shopping and leisure facilities for a town of its size. There are opportunities for further inclusive growth, such as by better use of assets to generate income and contribute to long term financial sustainability of the Council (e.g. reinvestment in services.) The update of the Asset Management Strategy – which is underway – will be key to achieving this. It will help identify the scope for additional land and buildings to be declared surplus for development and open up potential new income streams. Additionally, the Council's choices around delivery models for future developments will also be pertinent. SDDC may want to consider using different types of delivery models to share risk and reward e.g. long term strategic joint venture partnerships. By doing so, could also create ongoing revenue funding streams to contribute towards longer-term self-sufficiency.

4.7 Customer Service

The recent creation of a Head of Customer Service post reflects the Council's focus on customer services and aspirations for enhanced and modernised customer service delivery. Frontline services are highly regarded and appear to be performing well (e.g. low number of complaints, resident and parish council satisfaction), however there is little objective data and online services are in their infancy (e.g. no resident satisfaction data, end-to-end processes not fully digitalised). With SDDC at the start of its customer service improvement journey, there is a great opportunity to shape and align this agenda with other key Council priorities.

Although still at an early stage, the proposals for a new 'one stop shop' Civic Hub could help strengthen customer service in Swadlincote (e.g. intention for co-location of key public and VCS partners). In the first instance however, it will be important to establish SDDC's vision for the future of customer services across the district, and identify what will best meet customer needs (e.g. a single or dispersed access points across the district, face-to-face, online, phone, design of end-to-end process). As well as defining this vision, it will also be important for Customer Services to be recognised as an organisation-wide imperative (e.g. collectively owned across all service areas) and with a prominent place within the Council's wider Transformation Programme. The development of a Customer Access Strategy - underpinned by an understanding of the customer journey - will be key to achieving this. SDDC may also wish to consider issues such as: investment in an integrated digital platform; a strategy for shifting demand from face-to-face to online; and consolidation of all customer contact into a single delivery structure.

5. Next steps

Immediate next steps

We appreciate that the senior managerial and political leadership will want to reflect on these findings and suggestions in order to determine how the organisation wishes to take things forward.

As part of the peer challenge process, there is an offer of further activity to support this. The LGA is well placed to provide additional support, advice and guidance on a number of the areas for development and improvement and we would be happy to discuss this. Mark Edgell, Principal Adviser, is the main contact between your authority and the LGA. His contact details are: Email Mark.Edgell@local.gov.uk.

In the meantime we are keen to continue the relationship we have formed with the Council throughout the peer challenge. We will endeavour to provide signposting to examples of good practice and further information and guidance about the issues we have raised in this report to help inform ongoing consideration.

Follow up visit

The LGA Corporate Peer Challenge process includes a follow up visit. The purpose of the visit is to help the Council assess the impact of the peer challenge and demonstrate the progress it has made against the areas of improvement and development identified by the peer team. It is a lighter-touch version of the original visit and does not necessarily involve all members of the original peer team. The timing of the visit is determined by the Council. Our expectation is that it will occur within the next 2 years.

Next Corporate Peer Challenge

The current LGA sector-led improvement support offer includes an expectation that all councils will have a Corporate Peer Challenge or Finance Peer Review every 4 to 5 years. It is therefore anticipated that the Council will commission their next Peer Challenge before October 2025.

Annex A: Examples of good practice

Mercia Marina

Mercia Marina is the largest inland marina in Europe¹. SDDC led its development from a private fishery, to what it is today - a popular visitor destination with recreational, leisure and wildlife attractions for residents, boaters and holidaymakers.

The development of Mercia Marina is an excellent example of SDDC turning a necessity into an opportunity. Gravel extraction was required to physically support the creation of a highway interchange to the Toyota Plant, which is also within the district. The extraction site was then purposefully developed into the Mercia Marina - a waterside venue for related retail and leisure activities. By extracting the gravel from Willington Lake, this benefited the local economy, added value to an underutilised area, made excellent use of the area's network of inland waterways and retained the natural waterscape for the benefit of both visitors and wildlife.

Advisory Services for Food Businesses

As at 2019, South Derbyshire has the fifth highest number of Food Standards Agency (FSA) rated five star Food Businesses in the country. It has actively contributed to this achievement through its advisory service to food businesses, thus helping to drive the high level of five star food businesses.

¹ <http://www.merciamarina.co.uk/about-us/>

REPORT TO:	FULL COUNCIL	AGENDA ITEM:9
DATE OF MEETING:	15th JULY 2020	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	EMMA McHUGH 01283 595 716 emma.mchugh@southderbyshire.gov.uk	DOC:
SUBJECT:	INTRODUCTION OF PAVEMENT LICENCES	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That Members note the introduction of pavement licences.
- 1.2 That Members approve the delegated authority for Officers to refuse and revoke any application for a pavement licence if relevant representations are received.
- 1.3 That Members approve the proposed fee for a pavement licence application.

2. Purpose of Report

- 2.1 To provide Members with the necessary information to be able to consider the recommendations contained in paragraph 1 of this report.

3. Detail

- 3.1 The Business and Planning Bill is currently passing through Parliament which contains provisions relating to pavement licences. As the Bill is being introduced to boost the economy post Covid-19 lockdown, it is anticipated that the Act will come into force within the next few weeks and Government expects Local Authorities to be in a position to start issuing pavement licences immediately in an attempt to assist the licensed trade.
- 3.2 Street café licences are currently administered by Derbyshire County Council under section 115E of the Highway Act 1980. The administration process can take up to 28 days and can be a complicated process. The new pavement licensing regime will be administered by this Licensing Authority and is intended to be a quicker and easier process for licence holders to obtain permission to place tables and chairs on the pavement outside of their premises. The pavement licence regime will end on 30th September 2021.
- 3.3 Under the proposed pavement licensing regime, there will be a 7-day representation period for relevant parties to raise an objection to the grant of the

licence. The Licensing Authority is required to consult with the Highways Agency but also intends to consult with Derbyshire Police, Environmental Health, Communities Department and Ward Councillors. The application will be placed on the Council's website and the applicant is required to place a notice on the premises in order to notify members of the public who may raise a representation against the application.

- 3.4 At the end of the representation period, the Licensing Authority has a further 7 days to determine the application. If the application is not determined within this time period, the application is deemed granted.
- 3.5 As the determination of the application is time sensitive, any representation received will not be able to be considered by the Licensing and Appeals Sub-Committee within the 7 day period therefore it is proposed that the Head of Legal and Democratic Services or their deputy receives delegated authority to refuse an application as required. An application can be refused if:
- The applicant has not been able to demonstrate how they will confirm with the latest guidance on social distancing and crowd management;
 - The proposal will create a nuisance to neighbouring occupiers by generating anti-social behaviour and/or litter and
 - There are concerns over accessibility for members of the public if the tables and chairs are placed on the highway.
- 3.6 There is no appeal process within the legislation however the Government Guidance states that Licensing Authorities should offer an appeal route through their Licensing and Appeals Sub-Committee therefore any applicant aggrieved by the Officer decision will be able to appeal to this Sub-Committee.
- 3.7 As the regime is intended to be light touch and to aid the licensed trade, the Licensing Authority intends to permit most applications if the applicant can demonstrate that they meet the above requirements detailed at paragraph 3.5. If the pavement licence subsequently creates issues, there is provision in the proposed Act for enforcement to be taken. This can be by way of a notice requesting the licence holder to take measures to rectify the issues and/or revocation of the licence. As any issues could be causing nuisance on the highway and to members of the public or not complying with social distancing guidance, any action must be taken in a timely fashion therefore it is proposed the Head of Legal and Democratic Services or their deputy receives delegated authority to revoke a pavement licence as required on any of the grounds detailed above at paragraph 3.5. Revocation is a last resort as with all areas of licensing and the Licensing Authority will endeavour to work with the licence holder first to rectify any issues.

Fee

- 3.8 Under the proposed Act, a Licensing Authority is permitted to set a fee in support of the application. This fee is limited at £100 and it is proposed to charge £100 per application. This fee is set on a cost recovery basis up to the maximum limit permitted.
- 3.9 The length of the licence is to be determined by the Licensing Authority unless the application is not determined within the time period when a one-year licence will be deemed granted. As the pavement licensing regime is due to end on 30th September 2021 and to assist the licensed trade, it is proposed that all licences will end on 30th September 2021 to avoid any renewal application and associated fee.

4. Financial Implications

4.1 There are no financial implications to the Council.

4.2 There will be financial implications to any applicant for a pavement licence.

5. Corporate Implications

Employment Implications

5.1 None

Legal Implications

5.2 None

Corporate Plan Implications

5.3 These proposals will continue to demonstrate to members of the public that the Council takes the protection of local residents, children, and vulnerable adults seriously and that the Council supports the licensed trade, which contributes to the value of taking pride in our place and striving for excellence in all we do.

Risk Impact

5.4 None

6. Community Impact

Consultation

6.1 None

Equality and Diversity Impact

6.2 None

Social Value Impact

6.3 None

Environmental Sustainability

6.4 None

7. Background Papers

Business and Planning Bill

REPORT TO:	FULL COUNCIL	AGENDA ITEM:10
DATE OF MEETING:	15th JULY 2020	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN PARAGRAPH NO: N/A
MEMBERS' CONTACT POINT:	ARDIP KAUR (595715) Ardip.Kaur@south-derbys.gov.uk	DOC:
SUBJECT:	INDEPENDENT REMUNERATION PANEL	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

1.1 That Members are requested to consider the recommendations contained in the report of the Independent Remuneration Panel.

2.0 Purpose of Report

2.1 To consider the report of the Independent Remuneration Panel on Members' Allowances attached at Annexe 'A'.

3.0 Detail

3.1 Members are reminded that the Council is required to undertake a review of its Members' Allowances scheme by an Independent Remuneration Panel under the four year rule, as required by The Local Authorities (Members' Allowances) (England) Regulations 2003.

3.2 An Independent Remuneration Panel has previously met in 2001, 2003, 2007, 2011, 2015 and 2016 to make recommendations to the Council on Members' Allowances.

3.3 The following Members were appointed to the Panel, which met between 9 and 12 March 2020:-

- Richard Penn (Chairman);
- Robert Neff;
- Mike Firbank.

Richard Penn will be in remote attendance at the Meeting to present the report and answer any questions from Members.

4.0 Financial Implications

4.1 The cost of the Panel's recommendations is summarised in the following table.

	2020.21	2021.22	2022.23	2023.24	2024.25	Total
Basic Allowance	12,420	24,840	37,260	37,260	37,260	149,040
Deputy Opposition Leader	2,172	2,172	2,172	2,172	2,172	10,858
Independent Person	1,052	1,052	1,052	1,052	1,052	5,260
Civic Allowance	-3,642	-3,642	-3,642	-3,642	-3,642	-18,210
Pay Award	300	611	921	921	921	3,674
	12,302	25,032	37,763	37,763	37,763	150,621

The table shows that the cost over the 5-year financial planning period is approximately £150,000. There is currently no provision in the General Fund or Housing Revenue Account to meet this cost.

5.0 Corporate Implications

5.1 The Council will be complying with the provisions of The Local Authorities (Members' Allowances) (England) Regulations 2003.

6.0 Community Implications

6.1 None.

7.0 Background Papers

Report of the Independent Remuneration Panel

Review of the Members Allowances Scheme

at

**South Derbyshire District
Council**

Sixth Report of the Independent Remuneration Panel

**Richard Penn (Chairman)
Robert Neff
Mike Firbank**

April 2020

1 Introduction: The Regulatory context

- 1.1 This report is a synopsis of the deliberations and recommendations of the statutory Independent Remuneration Panel (the Panel) appointed by South Derbyshire District Council (SDDC) to provide advice on its Members' Allowances scheme.
- 1.2 The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* (the 2003 Regulations). These regulations, arising out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to maintain an independent remuneration panel (also known as an IRP) to review and provide advice on each council's Members' Allowances. This is in the context whereby the full Council retains that powers of determination regarding Members Allowances (both the levels and the scope of remuneration) and other allowances/reimbursements.
- 1.3 Before a Council exercises its powers of determination it is required to convene its Panel and seek its advice before it makes any changes or amendments to its Members Allowances scheme. In doing so each Council must 'pay regard' to the Panel's recommendations before setting a new or amended Members Allowances scheme.
- 1.4 In particular, the Panel has been reconvened under the 2003 Regulations [10. (50)], which states:

'Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme.'
- 1.5 This mechanism is the means by which a Council is required to reconvene its Independent Remuneration Panel at least once every four years to ensure a degree of periodic public accountability for its Members Allowances scheme. It is under this requirement that the Panel has undertaken this review of Members Allowances for South Derbyshire District Council.

2 Terms of Reference

2.1 A new Panel was appointed by full Council on 31 October 2019 and was given the following terms of reference for a review of the Council's Member Allowances scheme with the following terms of reference:

- to make recommendations on the amount of Basic Allowance that should be payable to members and the expenses it includes;
- to make recommendations on the categories of members who should receive a Special Responsibility Allowance and the amount of such an allowance;
- To make recommendations on the amount of co-optees allowances, where applicable;
- To make recommendations on travel and subsistence allowances;
- To make recommendations on the amount of Childcare and Dependent Carers' Allowances;
- To make recommendations on whether the allowances should continue to be adjusted in line with the average pay increases negotiated through the National Joint Committee for Local Government Employees or with reference to any other index or none;
- To make recommendations on the implementation date for the new Scheme of Allowances;
- To make recommendations on the Civic Allowances;
- To make recommendations on additional expenses received by members;
- To make recommendations on any other matters which the Panel considers necessary.

3 The Panel

3.1 The following members were appointed to the Panel to carry out the independent review:

- **Richard Penn** Chairman of the Panel and national representative

A former local authority chief executive, now an independent consultant. Between 2008 and 2016 the Chair of the Independent Remuneration Panel for Wales

- **Robert Neff** Private sector representative

A local resident and entrepreneur

- **Mike Firbank** Community representative

A local vicar, school chaplain and volunteer sector representative for South Derbyshire

3.2 The Panel was ably supported by Ardip Kaur, the Council's Legal and Democratic Services Manager and Monitoring Officer, whose role was to support the proceedings and take the organisational lead in facilitating the whole process. Additional support was provided by Donna Foster, a member of Ardip Kaur's team.

4 Process and Methodology

4.1 Evidence reviewed by the Panel

The Panel met at the Civic Offices, Swadlincote between 9 and 12 March 2020 to consider the evidence and hear representations, including factual briefings on the Council by officers. All Council members were invited to make written submissions to the Panel (several of which were received) and all members who wished to meet with the Panel were accommodated as far as practically possible (Appendix One provides details of those interviewed by the Panel). The Panel also reviewed relevant written information, such as Council and Committee meetings schedules, statutory guidance etc (Appendix Two sets out the information used by the Panel) and benchmarking data (Appendix Three). The Panel meetings were held in private session to enable it to meet with members and officers and consider the evidence in confidence.

4.2 Benchmarking - the SDDC comparator group of councils

The Panel has reviewed and evaluated the evidence and representations within a comparative context. In particular, the Panel produced and reviewed the benchmark material that provides the scope and levels of allowances paid in South Derbyshire District Council (SDDC) against those paid in the 16 comparator Councils utilised for benchmarking purposes. The benchmarking

- i. These authorities are those deemed closest to SDDC on a range of demographic, and social and economic criteria - this is done on a national basis.
- ii. adjacent district councils, or immediate neighbours

the other Derbyshire districts not otherwise included in the sub groups i. and ii. - these are county wide neighbours.¹ group of Councils is made up of 3 sub groups:

- i. SDDC's 6 nearest neighbours (2014 model) as defined by the Chartered Institute of Public Finance and Accountancy (CIPFA).

The Panel was concerned to understand how the issues under review have been addressed elsewhere (see Appendix 3 for summary of benchmarking information utilised by the Panel). Moreover, the Panel felt that it was important to place the SDDC Allowances scheme in a comparative perspective which can inform elected members on the wider picture and in this case shows that SDDC members are currently comparatively speaking well remunerated.

¹ See Appendix 3 for more details.

5 Principles and key messages

5.1 The purpose of a Members' Allowances scheme

During meetings with members it was mentioned on more than one occasion that the allowances payable under the current SDDC Members' Allowances scheme are insufficient to encourage a wider range of people to stand for Council. The Panel accepts that this may be the case, but Allowances Schemes are not designed for this purpose as they would need to be at levels so high that would not be publically acceptable. Some interviewees were not comfortable with the concept of the Allowances Scheme having this objective, as if individuals stood for and remained on the Council for income reasons this would run contrary to the public service ethos. It is clear that the desire to serve local communities and residents continues to be the prime motive for standing for election as a councillor.

The Panel shares the concern expressed by a number of members that the profile of the Council is not fully representative of the communities that make up SDDC. However, addressing this issue is not part of the remit of the Panel.

The policy intention behind the requirement for a bespoke Members' Allowances Scheme for each Council in England is to enable and facilitate members' roles and responsibilities as far as practically possible while taking into account such factors as the nature of the Council, local economic conditions and good practice. The Panel has sought to recommend a Scheme that seeks to minimise financial barriers to public service so as to enable a wide range of people to become a councillor without incurring undue personal financial cost, and the Scheme should as far as possible recompense members for the time they devote to their role and for the additional responsibilities that they accept.

5.2 The SDDC Members' Allowances Model

SDDC currently has a quite distinctive Scheme - the comparative data shows that it pays a high Basic Allowance and in most instances the SRAs payable are also comparatively high. The Panel is satisfied that the Basic Allowance and SRAs payable in South Derbyshire District Council are not as high as initially perceived. While there is a relatively high Basic Allowance this is in the context of SDDC having fewer members than many comparator councils. SDDC only has 36 elected members and the statutory publication of allowances and expenses received by members of SDDC for 2018/19 shows that the total paid out in Basic Allowance was £232,632. The equivalent publication for North East Derbyshire Council shows that Council's Basic Allowance (£5,087) to over £1,000 less than that paid in SDDC (£6,462). But as NEDC has 53 members the total paid out via the Basic Allowance was £266,757.

The other consideration for the Panel has been that the comparatively high SRAs in SDDC are paid for fewer posts than in the comparator Councils so the total paid out in SRAs at SDDC is comparable with other Councils. SDDC also has a more transparent model of remuneration as a result of which the public can understand the remuneration received by members. This is not always the case with comparator Councils.

The total remuneration paid for functions such as the Chairman of Overview and Scrutiny Committee and Planning Committee is more comparable to that paid in peer councils than first appears. For instance, the SDDC scheme does not pay for multiple Overview and Scrutiny Chairmen, as is the case in North Kesteven which has 3 Overview and Scrutiny Panels with each Chair receiving an SRA of £3,219 giving a total of £9,657 to remunerate those members chairing O&S Committees, whereas in SDDC there is one Overview and Scrutiny Committee with the Chair being paid £9,676. Nor does SDDC pay a small SRA to all Planning Committee members which is the case in some of the comparator authorities.

The Panel further noted that the SDDC scheme restricts payment to 1 SRA which means that not all SRAs are actually paid. By maintaining this principle, whilst there are minor increases in allowances arising out of from the recommendations of the Panel, there are compensatory savings due to the 1 SRA only rule.

5.3 The economic context

While benchmarking needs to be put in context the current economic climate is complex. The Council continues to be in good financial health and the South Derbyshire area in general has experienced significant economic growth but the Council continues to need to find savings in the next few years. The Panel has to take the economic context both generally and for the Council into consideration in making its recommendations. However, the workloads and responsibilities of members of SDDC have not reduced and where they have changed the evidence suggests that they have got more onerous. At the time of the previous review in October 2016, SDDC was a high achieving Council and the evidence shows that this continues to be the case. The economic context has to be balanced against the continued demands placed upon elected members.

The Panel takes the view that it would not be appropriate at this time to significantly increase the total spend on allowances, and even the marginal increase in the current total spend if the Panel's recommendations are agreed by the Council has required strong evidence for the Panel to make any recommendation that results in this additional expenditure. This context has led the Panel to restricting itself to correcting current anomalies where they exist rather than undertake a fundamental re-setting of the whole allowances scheme. Finally, it is recognised that local government is in a state of flux, how it operates now and the roles members undertake in the quickly evolving world of local and indeed sub regional government will also undergo change.

6 The Panel's recommendations

6.1 Basic Allowance

Previously in arriving at the recommended Basic Allowance the Panel has always followed the formulaic approach as laid out in the 2003 Statutory Guidance (paragraphs 67-69) which recommends the consideration of three variables. The Panel has 'recalibrated' the Basic Allowance by repeating the formulaic approach as set out in the 2003 Statutory Guidance but has up dated the variables to take into account the most recent rate of remuneration. This gives the following values:

Time required to fulfil duties:

The Basic Allowance is primarily a time-based payment (see 2003 Statutory Guidance paragraph 10). Since the 2007 review each Panel has utilized 99 days per year as the minimum required input from a member to fulfil those duties for which the Basic Allowance is paid, including preparing for and attending meetings, - both formal and informal, addressing constituents concerns, engaging with local communities, external appointments and other associated work including telephone calls, emails and meetings with officers. The most up to date information available on what is a reasonable time expectation for which the Basic Allowance is paid comes from the 2013 Councillors Census. It shows that councillors in district councils who hold no positions of responsibility report that they put in on average 14 hours per week 'on council business'. Leaving aside the issue of whether reported inputs are equivalent to time required, this is as close to the Panel's historic time assessment for SDDC members as to make no difference (assuming a working day between 7 - 7.5 hours).

The Panel sees no reason to use any new basis for calculating the appropriate Basic Allowance, although it is clear that some councillors spend more than 99 days a year on their Council work as they have chosen to be particularly active in their ward representative role, and the rapid development of the use of social media platforms has resulted in councillors being available to constituents more or less 24/7.

The Panel for the purposes of this review has retained **99 days per year** as the expected time input from members

Public Service Discount:

The Public Service Discount (PSD) recognizes the principle that not all of what a councillor does needs to be remunerated – there is an element of public service. This principle is realized by discounting an element of the expected time inputs associated with the Basic Allowance; in this case 1/3 of the 99 days per year. Thus 33 days annual workload is not remunerated. The proportion of 1/3 has been utilised as the standard PSD used by Panels in England – largely on the grounds that research shows that just over 28% of work by all councillors is dealing with ward/constituency issues and when other constituent/ward

related activities are taken into account at least one third of councillors workload is spent representing local constituents and communities² – thus deemed to be the *pro bono* element of a councillors' workload. The Panel was not presented with any evidence to suggest the current Public Service Discount of 1/3 that has been used previously required revision.

Rate of Remuneration:

The Panel has again utilised a rate of remuneration that most closely reflects the typical earnings of members' constituents in the South Derbyshire district. In late 2006 this was £90 per day, the median gross daily salary for all full time employees in the UK as published by the Office of National Statistics (ONS) in its Annual Survey of Hourly Earnings (ASHE). Panels have increasingly switched to a local authority specific rate of remuneration - largely because ASHE began to collect data on an authority by authority basis about 4 four years ago.

Therefore the Panel has reset the rate of remuneration and based it on the median gross daily earnings of all full time employees who work within the boundaries of SDDC³. The 2019 ASHE survey shows the weekly figure to be £575 which equates to £115 per day to the nearest pound.

Thus, if the Panel replicated the previous methodology with the day rate updated it produces the following recalibrated Basic Allowance:

- 99 days minus 1/3 PSD multiplied by £115 per day = £7,590

This would represent a significant uplift in the payment to each member of the Council and would require a significant increase in the provision for Members Allowances Consequently the Panel recommends a phased introduction of this increase over the next four years.

The Panel recommends that the Basic Allowance currently £6,554 payable in South Derbyshire District Council should be increased in three equal stages of £345 each year to 2022/23. The Basic Allowance for 2020/21 should be £6,900, for 2021/22 it should be £7,245 and for 2022/23 it should be £7,590.

² See Kettlewell, K. And Phillips, L. (2014), *Census of Local Authority Councillors 2013*, (LGA Research Report), Slough, NFER, Table 7 (p. 42) shows that out of an average weekly workload of 21.3 hours per week for all Councillors that they spend 6 hours per week on "engaging with constituents, surgeries, enquiries" and another 4.5 hours per week "working with community groups" (a proportion of which has been assumed to be ward/constituency related and not council related). Data is not broken down for district councils in this instance.

³ See ASHE, Table 7.1a - Weekly pay - gross - for full time employee jobs in SDDC 2019

6.3 Special Responsibility Allowances

Currently, SRAs are multiples of the Basic Allowance. The Panel has considered the significant increase in cost of continuing this link given its recommendation for phased increases in the Basic Allowance over the next three years and has concluded that to continue this link is neither necessary nor affordable at this time.

- **Leader of the Council**

The current SRA for the Leader of the Council in 2016 was set at a multiple of 3 times the BA as it reflected the differential between a BA and Leader's SRA used nationally, regardless of the type of council. The Leader's SRA and total remuneration package is at the higher end of the comparative spectrum. However, some Leaders (and other post holders) can be paid more than one SRA. Looking at the role of Leader of the Council in the South Derbyshire context, it remains the fact that whilst the Leader's overall commitment, regardless of the individual, is not quite a full time role it nevertheless requires a significant time commitment that precludes full time employment in the normal sense unless the postholder has a very supportive employer.. Many of the SRAs for Leaders in the benchmarking group have been explicitly set with a limited time commitment such as in High Peaks where the remuneration was expressly set with the model of a part time Leader in mind. The current total remuneration received (£26,207) by the SDDC Leader is still below the median annual gross full time salary for all employees in South Derbyshire, which in 2019 was £29,900 (ASHE Table 7.7a). The Panel sees no reason to revise this payment in 2020/21.

The Panel recommends that there should be no change in 2020/21 to the SRA of £19,653 paid to the Leader of the Council

Other SRAs

In arriving at the other recommended SRAs the Panel has continued with the pro rata approach as advised in the 2003 Statutory Guidance (paragraph 76). In most cases the current ratios, as expressed as a percentage of the Leader's SRA, have been maintained except where there is a compelling case to reset the original ratio.

- **Deputy Leader**

The Deputy Leader's current SRA (£10,809) is set at 55% of the Leader's SRA. Again it is at the higher end of the comparative spectrum but the Panel has recognised that the role of Deputy Leader in SDDC is an active one, more so than in many of the comparator Councils. The post holder has a greater range of discrete tasks undertaken at the behest of the Leader such as being on more outside bodies due to the pressures on the Leader's role. The Deputy Leader also is required to

deputise (within and outwith the Council) for the Leader for similar reasons.

The Panel recommends that there should be no change in 2020/21 to the SRA of £10,809 paid to the Deputy Leader

- **Chairmen of Policy Committees (3)**

Currently, the Chairmen of the 3 Policy Committees each receive an SRA (£9,815) set at 50% of the Leader's SRA. While this is at the high end of the comparative spectrum it is in a context whereby there are fewer Policy Committees (or equivalent) in the 5 out of 16 councils in the benchmarking group where such a post exists.

The Panel recommends that there should be no change in 2020/21 to the SRA of £9,815 paid to the Chairmen of the 3 Policy Committees

- **Chairman of the Planning Committee**

Similarly, the Panel is content to maintain the current 50% ratio of the Leader's SRA as the appropriate pro rata in setting the SRA for the Chairman of the Planning Committee. This leaves it the highest SRA for a Planning Chairman vis-à-vis the comparator group. Yet, once more, it must be set in context where in some authorities, all members of the Planning Committee receive additional remuneration, such as in Amber Valley (£570 for all other 13 Members on Planning) and Newark & Sherwood (£96 per site visit paid to all other 13 Members on Planning). This is not the case in SDDC.

The Planning Committee in SDDC is highly visible and attracts a lot of attention - the pressures of economic growth and development locally means the Chairman has to do a lot of background reading, including objections from residents, and has to handle meetings sensitively and fairly.

The Panel recommends that there should be no change in 2020/21 to the SRA of £9,815 paid to the Chairman of the Planning Committee

- **Chairman of the Overview and Scrutiny Committee**

Of all the posts considered for benchmarking purposes the SRA paid to the Chairman of the Overview and Scrutiny Committee is the one that is most above the mean SRA (£3,314). However, in SDDC there is only one remunerated Chairman of Overview and Scrutiny which is not the case in some of the comparator councils. For instance, the Chairmen of the 3 Overview and Scrutiny Panels in North Kesteven each receive an SRA of £3,125, with a total cost of £9,375. The Panel received no evidence to alter the current differentials of the SRA for the Chairman of

Overview and Scrutiny which is paid on a par with the Chairmen of the other main committees.

The Panel recommends that there should be no change in 2020/21 to the SRA of £9,815 paid to the Chairman of the Overview and Scrutiny Committee

- **Chairman of the Licensing and Appeals Committee**

The current SRA (£4,630) is set at 25% of the Leader's SRA. Benchmarking shows that the mean SRA paid to Chairmen of equivalent committees is £3,090. The Licensing and Appeals never meets as a full Committee and the work of the Committee is undertaken by the Licensing Appeals Sub Committees that carry out licensing appeals including liquor, housing, personnel and miscellaneous licensing. A Licensing and Appeals Sub Committee always consists of 3 members drawn from the parent committee and it is constituted and meets as and when required. Over the past 3 years sub committee meetings have taken place 10-11 times per year. The default position is that the Chairman of the full Licensing and Appeals Committee chairs the sub committees unless there may be a conflict of interest. This represents a considerable workload for the post holder who also carries the responsibility for decisions made. Given this evidence the Panel has concluded that the SRA for the Chair of Licensing and Appeals Committee should remain at 25% of the Leader's SRA.

The Panel recommends that there should be no change in 2020/21 to the SRA of £4,865 paid to the Chairman of Licensing and Appeals Committee

Vice Chairmen of the Policy, Planning, Overview & Scrutiny Committees

Currently each of the 5 Vice Chairmen of the main committees (3 Policy, 1 Planning and 1 Overview & Scrutiny Committee) receives an SRA set at 25% of the SRA for their respective Chairmen. The role of Vice Chairmen of the main Committees is important for succession planning and without remuneration it could make having competent Vice Chairmen ready to step up to a Chairman harder to plan for. While the comparative picture is mixed benchmarking shows that it is by no means unusual to pay a Committee Vice Chairmen an SRA - in the case of planning it is the more common practice.

The Panel recommends that there should be no change in 2020/21 to the SRA of £2,103 paid to the Vice Chairmen of the Policy Committees, the Planning Committee and the Overview and Scrutiny Committee

- **Chairman of the Audit Sub Committee**

The Panel received no evidence that the Audit Sub Committee does not continue to play a vital role in providing financial challenge.

The Panel recommends that there should be no change in 2020/21 to the SRA of £4,865 paid to the Chairman of the Audit Sub Committee

- **The Leader and Deputy Leader of the Opposition**

No evidence was received to indicate that the basis of the SRA for the Opposition Leader (50% of the Leader of the Council's SRA) required revising. However, the Panel did hear evidence that the role of Deputy Leader of the Opposition Group was significant and that the current basis (25% of the Leader's of the Opposition's SRA) does not reflect the demands on and the workload of the post holder. Consequently, the Panel recommends that the SRA for the Deputy Leader of the Opposition Group should be reset at 50% of the SRA for the Leader of the Opposition Group.

The Panel recommends that the SRA in 2020/21 for the Leader and Deputy Leader of the Opposition should be £9,249 and £4,630 respectively

- **The Independent Persons**

The Panel met with the two Independent Persons who each support the work of the Monitoring Officer and the Standards Committee in respect of complaints against elected members of both the District Council and the Parish Councils in the district. It is clear that these roles have a considerable workload and the Panel considers that the current remuneration of £1,224 per annum does not reflect that workload or the contribution that the postholders make to the work of the Standards Committee.

Consequently the Panel recommends that the SRA in 2020/21 for these roles should be reset at £1,750

The 1 SRA only rule

The 2003 Regulations do not prohibit the payment of multiple SRAs to elected members as the benchmarking clearly shows. In line with good practice, SDDC has adopted a 1 SRA only rule. In other words, regardless of the number of remunerated posts a member may hold they can only be paid 1 SRA. This cap on the payment of SRAs to members means that responsibility roles are not sought for purely financial reasons. Indeed, the pressure is that, if anything, such posts tend to be more spread around the member group. It also makes for a more transparent allowances scheme in that the published SRA for a post is

the total SRA paid and is not topped up through multiple SRAs. Finally, in practice the 1 SRA only rule means not all SRAs are actually paid which results in a small saving to the Council.

The Panel recommends that the Council continues to adopt a 1 SRA only rule as part of the SDDC Members' Allowances scheme

Co-optees' Allowances

Currently there are no co-optees in receipt of a Co-optees' Allowance and no evidence was received to indicate this situation should be changed.

The Panel recommends that a Co-optees' Allowance is not paid in 2020/21 to any Co-optees that the Council chooses to appoint to its committees and/or panels

Dependants' Carers' Allowance (DCA)

The Local Government Act 2000 explicitly clarifies the right of local authorities to pay a Dependants' Carers' Allowance (DCA), which members can claim to assist in meeting care costs for their dependants while undertaking approved Council duties. It is an allowance explicitly designed to enable a wider range of candidates to stand for and remain on Council. It has rarely been claimed in SDDC but the Panel feels that the principal behind the DCA is a sound one. This allowance is now almost universally available in English local authorities.

The Panel recommends that the DCA and the terms and conditions under which it can be claimed are maintained for 2020/21

Travel and subsistence allowances

Subsistence allowance

There were no issues brought to the Panel's attention regarding the scope and levels payable under the Subsistence Allowance scheme. There is no subsistence allowance payable for members attending in-authority approved duties. When attending 'out of authority' Approved Duties schedule 2 of the SDDC allowances scheme states that subsistence is payable 'at the *current* rates if not pre-booked by the Authority'. In effect the '*current*' rates are the same that apply to Council officers. However, for clarification purposes and to be fully compliant with the 2003 Regulations, the actual subsistence rates are set out in the Allowances Scheme in Schedule 2 thus ensuring maximum transparency and removing any ambiguity regarding the subsistence rates payable.

The Panel does not recommend any changes in 2020/21 to the current rates and terms and conditions of the Subsistence Allowances scheme

Travel Allowance - Mileage

The current mileage rates that Members can claim for undertaking approved duties are based on the approved mileage rates as published by Her Majesty's Revenue and Customs (HMRC). These mileage rates have the advantage of not incurring any tax or national insurance liability for Members. They are now the most prevalent mileage rates for Members in British local government and the Panel received no evidence that they required revising.

The Panel recommends that mileage rates claimable by members for attending approved duties should be paid at the HMRC mileage rates

Civic Allowances

The Panel considered the current Civic Allowances payable to the Chairman (£7,260) and Vice Chairman (£2,382) of the Council. The Civic Allowances are paid under the Local Government Act 1972 (sections 3.5 and 5.4), not as remuneration (although in many authorities it has in effect become a de facto salary), but to meet the expenses of holding the office of Chairman and Vice-Chairman of the Council.

Substantial savings have been made in recent years in the support costs for the Chairman and Vice Chairman of the Council mostly arising from the discontinuation of the provision of a civic car and chauffeur. The roles have been re-defined with attendance at civic functions or to functions where the Chairman/Vice Chairman have been invited strictly limited to within the authority or authorities adjacent to SDDC. The Chairman, and where relevant the Vice Chairman, of the Council have to drive themselves to functions and events.

As a consequence, the Chairman and Deputy Chairman attend a lot less formal functions and events than previously, particularly outside SDDC. At the same time it is accepted that there is more to the role of Chairman of the Council than attending civic functions, such as being the 'champion of unsung local heroes'. However, the Panel feels that this is the right time to reflect the considerably reduced role of the Chairman and Vice Chairman in the Civic Allowances provided.

The Panel recommends that the Council Chairman's Civic Allowance be reset at £5,000 and the Civic Allowance for the Vice Chairman of the Council be reset at £1,000 in 2020/21

To ensure that they are not out of pocket the Panel also recommends that the Chairman and Vice Chairman of the Council continue to be able to claim travel and subsistence for undertaking their civic duties subject to the maximum rates and conditions that apply. It is also recommended that on those occasions when there is an expectation that the Chairman or Vice Chairman would partake of alcoholic beverage, and/or when there may be health and safety issues in respect of the civic chain, taxi fares to and from the event should be remunerated.

Confirmation of indexing

The Panel recommends continuation of the use of the following indices for Member Allowances:

- **Basic Allowance, SRAs and Civic Allowances** should be increased by the same percentage applied annually to the pay of local government staff, implemented each April (linked to spinal column point 49 of the NJC scheme).
- **Travel:** Mileage rates should be indexed to the rates approved by HMRC for cars, motor cycles, bicycles, including the passenger supplement rate where applicable. Other travel will be reimbursement of actual costs taking into account the most cost effective means of transport available and the convenience of use.
- **Subsistence (out of authority only):** should be indexed to the same rates that apply to officers of SDDC, for reimbursement of actual costs up to the maximum rate applicable as laid out in Schedule 2 of the allowances scheme.

Implementation

The Panel recommends that the recommendations contained in this report (with any amendments) be implemented from the date of the Council meeting at which the revised Allowances Scheme is adopted.

**Richard Penn
Chairman of the SDDC Independent Remuneration Panel
April 2020**

Appendix 1

SDDC Members and officers who met with the Panel

Members

Cllr M Ford	Leader of the Council
Cllr K Richards	Leader of the Opposition
Cllr J Hewlett	Chairman of Overview & Scrutiny Committee
Cllr A Roberts	Chairman of Housing and Community Services Committee
Cllr Mrs L Brown	Chairman of Planning Committee
Cllr P Watson	Chairman of Finance and Management Committee
Cllr. A MacPherson	Chairman of Environmental and Development Services Committee
Cllr N Atkin	Chairman of Audit Sub-Committee
Cllr Mrs J Patten	Chairman of Licensing & Appeals Committee
Cllr Mrs A Wheelton	Member for Seales Ward
Cllr D Corbin	Member for Aston on Trent Ward
Peter Purnell	Independent Person
Peter Smith	Independent Person

Officers

Mr. F McArdle	Chief Executive
Ms. A Kaur	Solicitor, Legal & Democratic Services Manager and Monitoring Officer

Appendix 2

Information used by the Panel

- 1 The Local Authorities (Members' Allowances) (England) Regulations
- 2 Terms of reference as agreed by the Council on 31 October 2019.
- 3 The SDDC Members Allowances Scheme (2018/19) including DCA, travel and out of authority subsistence rates and any other support Members receive
- 4 The SDDC statutory annual publication that summarizes allowances and expenses paid/claimed (2018/19) for each Member, including sub totals for each category
- 5 The Consolidated Guidance for Panels and Regulations May 2003 (Department of Communities and Local Government)
- 6 Membership of main committees, sub committees and panels, including Chair and Vice Chairmen
- 7 The remit or responsibility for functions for main committees and sub committees
- 8 The Benchmarking information summarizing allowances paid in neighbouring/comparator authorities 2018/19
- 9 The Sixth Report of the SDDC Independent Remuneration Panel (October 2016)
- 10 Member role profiles

Appendix 3: Benchmarking Allowances for South Derbyshire District Council

BM1 S. Derbyshire DC Comparator Group: BA + Policy & Scrutiny SRAs 2015/16										
Authority	Basic Allowance	Leader	Leader Total	Deputy Leader	Chairs Policy or Service Committees	Vice Chairs Policy Committees	Chair Main O&S	Vice Chair Main O&S	Chairs of Scrutiny	Vice Chairs of Scrutiny
Amber Valley	£4,027	£12,083	£16,110	£6,042	NA	NA	£1,812			
Bolsover	£9,902	£14,672	£24,574	£9,781	NA	NA			£3,260	£1,630
Chesterfield	£5,880	£27,785	£33,665	£15,285	NA	NA			£4,660	£2,327
Chorley*	£4,647	£14,023	£18,670	£4,342	NA	NA	£4,647	£1,549	£341	
Derbyshire Dales	£4,504	£11,256	£15,760	£5,628	£4,504	£1,576				
<i>East Norants</i>	£5,366	£12,000	£17,366	£7,500	£3,683	£1,228				
East Staffs	£4,818	£17,917	£22,735	£8,144	£8,144		£3,583		£1,842	
Erewash	£4,132	£13,697	£17,829	£8,218	NA	NA	£3,627	£1,207		
High Peak 13/14	£3,002	£9,905	£12,907	£5,942	NA	NA			£1,980	
Hinckley & Bosworth*	£5,280	£16,300	£21,580	£8,250	NA	NA	£4,620		£3,300	
Newark & Sherwood	£4,987	£13,796	£18,783	£2,759	£5,623	£1,037				
NE Derbyshire	£5,380	£18,496	£23,876	£13,291					£4,047	£1,346
N. Kesteven	£5,000	£13,566	£18,566	£8,675	NA	NA			£3,219	£1,062
N. Warwickshire	£5,077	£11,207	£16,284		£5,083	£1,780	£5,083			
NW Leicestershire	£4,012	£16,047	£20,059	£5,029	NA		£5,215			
Selby	£4,461	£11,154	£15,615	£5,800	NA		£3,346			
<i>S. Derbyshire</i>	£6,554	£19,653	£26,207	£10,472	£9,815	£2,418	£9,815	£2,418		
Mean	£5,054	£14,619	£19,673	£7,645	£5,408	£1,074	£3,992	£1,378	£2,831	£1,599
Highest	£9,902	£27,785	£33,665	£15,285	£8,144	£2,312	£9,249	£1,549	£4,660	£2,327
Lowest	£3,002	£8,000	£12,907	£4,342	£3,683	£1,037	£1,812	£1,207	£341	£1,062

BM2: SDDC Comparator Group: Regulatory & Related SRAs 2015/16										
Authority	Chair of Planning	V/Chair of Planning	Members Planning	Chair of Licensing	V/Chair Licensing	Chair Licensing Panel[s]	Chair of Audit &/or Governance	Vice Chair Audit &/or Governance	Chair HR or Employment	Chair Standards
Amber Valley	£2,417		£604	£1,812			£1,812			£1,812
Bolsover	£4,891	£2,445		£2,445	£1,222					
Chesterfield	£4,660			£4,660	£2,330		£2,330		£3,495	£2,330
Chorley	£3,145	£1,549		£3,145	£1,549		£1,858			£1,858
Derbyshire Dales	£4,504	£1,576		£1,351	£675					
East Norants	£3,683	£1,228		£3,683	£1,228		£3,683	£1,228	£1,228	£1,228
East Staffs	£6,841			£5,972						£1,432
Erewash	£3,627	£1,207		£3,627	£1,207	£3,627	£3,627	£1,207		£3,627
High Peak 13/14	£2,970	£1,485		£600	£300		£1,980			
Hinckley & Bosworth	£5,500			£2,500			£4,620		£2,500	
Newark & Sherwood	£5,623	£1,037	£96 site visits	£3,320	£488		£1,904			£1,795
NE Derbyshire	£8,094	£1,346								£4,047
N. Kesteven	£4,692	£1,548		£3,219	£1,062		£3,219	£1,062		£306
N. Warwickshire	£5,083	£1,780		£1,780						
NW Leicestershire	£4,914			£4,914			£4,914			
Selby	£4,461			£3,346			£2,231			
S. Derbyshire	£9,676	£2,418		£2,418			£4,865			
Mean	£4,694	£1,520		£3,090	£1,118		£2,525	£1,166	£2,408	£2,048
Highest	£8,094	£2,445		£5,972	£2,330		£4,914	£1,228	£3,495	£4,047
Lowest	£2,417	£1,037		£600	£300		£1,645	£1,062	£1,228	£306

BM3: SDDC Comparator Group Opposition & Other SRAs & Comments 2015/16				
Authority	Main Opposition Leader	Main Opposition Deputy Leader	2nd Opposition Group Leader	Other SRAs/Comments
Amber Valley	£3,021			Broadband & Printer Consumables Allowance £250; Independent Person £1,208
Bolsover	£4,891			
Chesterfield	£8,686			Telecommunications Allowance £300 per year
Chorley	£7,197	£4,342		Other minor SRAs payable, Independent Person £548
Derbyshire Dales	£1,800		£1,350	More than 1 SRA payable
East Norants	£3,683			Finance & Personnel Chairs & Vice Chairs get SRA £1,000 & £250 respectively Independent Person £1228, Reserve Independent Person £614
East Staffs	£8,144		£977	BA inclusive of Broadband & Tel, 70% attendance or 12th instalment withheld
Erewash	£5,337	£788		Chair & Vice Chair Driver's Licensing Panel £3,377 & £1,124 respectively, Vice Chair Standards £1,124, Shadow Executive members £525, Tel line rental paid + £100 costs for SRA holders, Independent Person £500
High Peak 13/14	£1,980			Broadband Allowance up to £216 per year
Hinckley & Bosworth	£4,620		£4,620	Chair Appeals Panel £2,500. Personnel Chair £2,500
Newark & Sherwood	£4,775		£817	Opposition Spokespersons £1,037
NE Derbyshire	£5,114			Vice Chair Standards £1,346, Broadband provided or reimbursed
N. Kesteven	£1,700			V/Chair Scrutiny Panels £1,002, 75% of 2nd SRA paid & £100 ICT Allowance
North Warwickshire	£1,185 + £238 per member	£1,780	£1,780	Chairs Sub Committees £1,745, Appeals Panel Members £260, Area Chairs £873
NW Leicestershire	£4,012			
Selby	£2,231			Chair Policy Review £3,346, Majority Group Leader £2,058
S. Derbyshire	£9,815	£2,303		<i>Independent Persons £1,224 pa</i>
Mean	£4,273	£2,665	£1,909	
Highest	£8,686	£4,342	£4,620	
Lowest	£1,700	£1,745	£817	

REPORT TO:	COUNCIL	AGENDA ITEM: 11
DATE OF MEETING:	15 th JULY 2020	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ARDIP KAUR (ext.5715) Ardip.Kaur@south-derbys.gov.uk	DOC:
SUBJECT:	CYCLE OF MEETINGS 2020-21	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

1.1 That, in accordance with Council Procedure Rule No. 1.1 (g) of the Council's Constitution, the cycle of Meetings for 2020/21 (**Appendix A** to this report) be approved.

2.0 Purpose of Report/Detail

2.1 To consider the cycle of Meetings for 2020/21 attached at **Appendix A**.

3.0 Financial Implications

3.1 None.

4.0 Corporate Implications

4.1 None.

5.0 Community Implications

5.1 None.

6.0 Background Papers

6.1 None.

COMMITTEE AND COUNCIL MEETINGS 2020/21

Committee	Day	Date
Planning	Tuesday	28.07.20
Audit Sub-Committee (Special)	Thursday	29.07.20
Finance and Management (Special)	Thursday	30.07.20
Environmental & Development Services	Thursday	13.08.20
Housing & Community Services	Thursday	20.08.20
Planning	Tuesday	25.08.20
Finance & Management	Thursday	27.08.20
Overview & Scrutiny	Wednesday	02.09.20
Audit Sub-Committee	Wednesday	16.09.20
COUNCIL	Thursday	17.09.20
Planning	Tuesday	22.09.20
Etwall JMC	Wednesday	23.09.20
Environmental & Development Services	Thursday	24.09.20
Housing & Community Services	Thursday	01.10.20
Finance & Management	Thursday	08.10.20
Overview & Scrutiny	Wednesday	14.10.20
Planning	Tuesday	20.10.20
Audit Sub-Committee (Special)	Wednesday	21.10.20
Finance & Management (Special)	Thursday	22.10.20
COUNCIL	Thursday	05.11.20
Environmental & Development Services	Thursday	12.11.20
Planning	Tuesday	17.11.20
Housing & Community Services	Thursday	19.11.20
Overview & Scrutiny	Wednesday	25.11.20
Finance & Management	Thursday	26.11.20
Audit Sub-Committee	Wednesday	09.12.20
Planning	Tuesday	15.12.20
Environmental & Development Services (Special - Budget)	Monday	04.01.21
Housing & Community Services (Special – Budget)	Tuesday	05.01.21
Etwall JMC	Wednesday	06.01.21
Finance & Management (Special – Budget)	Thursday	07.01.21
Planning	Tuesday	12.01.21
Overview & Scrutiny	Wednesday	13.01.21
COUNCIL	Thursday	14.01.21
Environmental & Development Services	Thursday	21.01.21
Housing & Community Services	Thursday	28.01.21
Planning	Tuesday	09.02.21
Overview & Scrutiny	Wednesday	10.02.21
Finance & Management	Thursday	11.02.21
COUNCIL	Wednesday	24.02.21
Planning	Tuesday	02.03.21
Environmental & Development Services	Thursday	04.03.21
Housing & Community Services	Thursday	11.03.21

COMMITTEE AND COUNCIL MEETINGS 2020/21

Finance & Management	Thursday	18.03.21
Audit Sub-Committee	Wednesday	24.03.21
Planning	Tuesday	30.03.21
Overview & Scrutiny	Wednesday	31.03.21
Etwall JMC	Wednesday	07.04.21
COUNCIL	Thursday	15.04.21
Housing & Community Services	Tuesday	20.04.21
Environmental & Development Services	Wednesday	21.04.21
Planning	Tuesday	27.04.21
Finance & Management	Thursday	29.04.21
ANNUAL COUNCIL	Thursday	13.05.21
CIVIC COUNCIL	Thursday	20.05.21

PLANNING COMMITTEE

3rd September 2019

PRESENT:-

Conservative Group

Councillor Mrs Brown (Chairman), Councillors Angliss, Brady, Mrs Bridgen (Vice-Chairman), Ford, Muller, Watson and Mrs. Wheelton.

Labour Group

Councillors Mulgrew (substituting for Councillor Gee), Dr. Pearson, Shepherd, Southerd, Tilley.

In Attendance

Councillor Billings.
Councillor Patten.

PL/66 **APOLOGIES**

Apologies for absence were received from Councillor Gee (Labour Group).

PL/67 **DECLARATIONS OF INTEREST**

The Committee was informed no declarations of interest had been received

PL/68 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/69 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them, as necessary. Consideration was then given thereto, and decisions were reached as indicated.

PL/70 **CHANGE OF USE OF LAND FROM AGRICULTURAL AND EQUESTRIAN TO USE AS A FACILITY TO PROMOTE INTERACTION BETWEEN ANIMALS AND THE PUBLIC. THE ERECTION OF 3NO. BUILDINGS, CONSTRUCTION OF ACCESS ROAD, CAR AND COACH PARKING, PEDESTRIAN ACCESSES AND THE CREATION OF WALK WAYS ON LAND AT SK3724 0194 ON THE NORTH SIDE OF THE COMMON, MELBOURNE, DERBY**

The Planning Delivery Team Leader outlined the application, updating the Committee on amendments since the submission to a previous Committee.

An Objector and the Applicant's Agent attended the Meeting and addressed Members on this application.

Following the comments from the Objector the Planning Delivery Team Leader informed Members that the design of the new buildings would be agricultural in appearance and that surface water drainage would be addressed by planning conditions.

The Chair found Condition 8, regarding the landscaping to be very informative.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), subject to the stated conditions.

PL/71 **THE ERECTION OF 2 NO. TWO STOREY OFFICE BUILDINGS AND ASSOCIATED CAR AND CYCLE PARKING AT BADGER FARM WILLOWPIT LANE HILTON DERBY**

It was reported that members of the Committee had visited the site earlier in the day.

The Planning Delivery Team Leader presented this report to the Committee outlining the unusual site circumstances to be considered regarding this application. The Planning Delivery Team also addressed points raised in a letter from the Agent by referring to the relevant national and local policies.

A supporter attended the Meeting and addressed the Members on this application.

Members raised concerns regarding the location of the business, the fact that no end users had been identified and the need for business units in this area had not been demonstrated.

RESOLVED:-

That planning permission be refused as recommended in the report of the Strategic Director (Service Delivery).

PL/72 **CHANGE OF USE FROM A MIXED USE OF COMMERCIAL AND RESIDENTIAL (USE CLASS A1 AND C3) TO HOUSE IN MULTIPLE OCCUPATION WITH A TOTAL OF 8 NO. BEDSIT ROOMS (USE CLASS SUI GENERIS) WITH ASSOCIATED ALTERATIONS AT 3 CHURCH STREET CHURCH GRESLEY SWADLINCOTE**

The Planning Delivery Team Leader presented the application to the Committee.

An Objector and the Applicant's Agent attended the Meeting and addressed Members on this application.

Following the address of both the Objector and the Agent, Members raised concerns relating to parking provision and agreed that a site visit was required prior to a decision being made.

RESOLVED:-

That determination of the case be deferred pending a site visit.

PL/73 **CHANGE OF USE FROM AGRICULTURAL LAND TO STORAGE AND DISTRIBUTION USE (USE CLASS B8) ALONG WITH DEMOLITION OF EXISTING BUILDINGS AND LAYING OF HARDSTANDING AT THE FORMER MIDLAND PIG PRODUCERS LIMITED WOODYARD LANE FOSTON DERBY**

The Planning Delivery Team Leader outlined the application, updating the Committee on amendments.

The Applicant's Agent attended the Meeting and addressed Members on this application.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), subject to the stated conditions.

PL/74 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed

exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 7.05 pm.

COUNCILLOR MRS L BROWN

CHAIRMAN

PLANNING COMMITTEE

24th September 2019

PRESENT:-

Conservative Group

Councillor Mrs Brown (Chairman), Councillors Angliss, Mrs Bridgen (Vice-Chairman), Ford, Haines (substituting for Councillor Watson), Hewlett (substituting for Councillor Brady), Muller and Mrs. Wheelton.

Labour Group

Councillors Gee, Mulgrew (substituting for Councillor Tilley), Dr. Pearson, Shepherd, Taylor (substituting for Councillor Southerd).

In Attendance

Councillor Patten.

PL/75 **APOLOGIES**

Apologies for absence were received from Councillor Brady, Watson (Conservative Group), Southerd, Tilley (Labour Group).

PL/76 **DECLARATIONS OF INTEREST**

The Committee was informed no declarations of interest had been received

PL/77 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/78 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/79 **CHANGE OF USE FROM A MIXED USE OF COMMERCIAL AND RESIDENTIAL (USE CLASS A1 AND C3) TO HOUSE IN MULTIPLE OCCUPATION WITH A TOTAL OF 8 NO. BEDSIT ROOMS (USE CLASS SUI GENERIS) WITH ASSOCIATED ALTERATIONS AT 3 CHURCH STREET CHURCH GRESLEY SWADLINCOTE**

It was reported that members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report updating the Committee on the informative received from the Environmental Health and added to the report following the deferral of determination at an earlier Committee Meeting. The Head of Planning and Strategic Housing read out to the Committee an email received from the Planning Agent.

Members raised concerns and issues regarding on street parking and the marketing of the current retail property. The Head of Planning and Strategic Housing informed Members that if the retail property remained there would be no control over the number of vehicles using on street parking and added a lot of evidence had been given which demonstrated that the property had been marketed to no avail.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), subject to the stated conditions.

PL/80 **APPROVAL OF RESERVED MATTERS FOR ACCESS, LAYOUT, SCALE, APPEARANCE AND LANDSCAPING OF OUTLINE PERMISSION REF. 9/2016/0162 (AS ALLOWED BY APPEAL REF. APP/F1040/W/16/3160135) FOR THE ERECTION OF 34 DWELLINGS ON LAND ADJACENT TO THE MANDARIN CHINESE RESTAURANT EGGINTON ROAD HILTON DERBY**

The Planning Delivery Team Leader outlined the application and informed the Committee that following the report being published a surface water survey and report from independent surveyors have been received.

An Objector and the Applicant's Agent attended the Meeting and addressed Members on this application.

Members raised concerns about the amount and location of social housing and affordable housing as well as parking facilities which could lead to an obstruction for emergency services. The Planning Delivery Team Leader informed Members that of the 30% of affordable housing 75% would be social housing and 25% intermediate tenure which would be placed in blocks of 5 to avoid large clusters of social housing. The Planning Delivery Team Leader gave assurance that there would be adequate parking.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), subject to amendments to Conditions 8 and 9.

PLANNING AND OTHER APPEALS

PL/81 The Committee noted the planning appeal decisions in relation to the following applications:

9/2019/0116 Weston Aston Dismissed Delegated

PL/82 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 7.05 pm.

COUNCILLOR MRS L BROWN

CHAIRMAN

PLANNING COMMITTEE

15th October 2019

PRESENT:-

Conservative Group

Councillors Angliss, Brady, Mrs Bridgen (Vice-Chairman), Dawson (substituting for Councillor Mrs Brown), Ford, Muller, Watson and Mrs. Wheelton.

Labour Group

Councillors Gee, Dr Pearson, Shepherd, Southerd, Tilley.

In Attendance

Councillor Haines.

PL/83 **APOLOGIES**

Apologies for absence were received from Councillor Mrs Brown (Conservative Group).

PL/84 **MINUTES**

The Minutes of the Planning Committee held on 4th June were noted, approved and signed by the Chairman.

PL/85 **DECLARATIONS OF INTEREST**

The Committee was informed no declarations of interest had been received

PL/86 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/87 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto, and decisions were reached as indicated.

PL/88 **THE DEMOLITION OF OUTBUILDINGS (INCLUSIVE OF RELEVANT DEMOLITION CONSENT FOR PART OF THE FRONT BOUNDARY WALL) AND THE ERECTION OF A SINGLE STOREY DWELLING AT 31 CHAPEL STREET TICKNALL DERBY**

The Head of Planning and Strategic Housing presented the application to the Committee.

An Objector and the Applicant's Agent attended the Meeting and addressed Members on this application.

Members raised queries regarding the footprint of the new property, the retention and refurbishment of the existing building and retention of the wall. The Head of Planning and Strategic Housing informed Members that the new footprint would remain similar and the retention of the current building and wall was not possible as the new building would not be a shared facility.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), subject to the stated conditions.

PL/89 **THE ERECTION OF A 10 BED LODGE (C1 HOTEL USE) AT THE CREWE AND HARPUR ARMS WOODSHOP LANE SWARKESTONE DERBY**

The Planning Delivery Team Leader presented the application to the Committee.

An Objector and the Applicant's Agent attended the Meeting and addressed Members on this application.

Members raised concerns regarding the aspect of the building and the parking facilities. The Planning Delivery Team Leader informed Members that the Conservation Officer commented that the building should be markedly subservient to the surrounding buildings and should not detract. The Planning Delivery Team Leader explained that there would be ten parking spaces for the Lodge which equates to one for each room.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), subject to the stated conditions.

PL/90 The Committee noted the planning appeal decisions in relation to the following applications:

P9/2017/0893	Aston	Aston	Allowed	Committee
9/2019/0249	Etwall	Etwall	Dismissed	Delegated
E/2018/0205	Willington	Willington & Findern	Dismissed	Committee

PL/91 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT MINUTES

The Exempt Minutes of the Meeting held on the 4th June 2019 were taken as read, approved as a true record and signed by the Chairman.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 7.20 pm.

COUNCILLOR MRS L BROWN

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

25th November 2019

OPEN

PRESENT:-

Conservative Group

Councillor Macpherson (Chairman) Councillor Mrs Haines (Vice-Chairman) and Councillors Mrs. Brown, Dawson, Fitzpatrick, Mrs. Patten, and Mrs Wheelton (substituting for Councillor Billings)

Labour Group

Councillors Dunn, Mrs. Heath, Taylor and Tilley.

EDS/ APOLOGIES

Apologies for absence were received from Councillor Billings, and Councillor Whittenham. (Conservative Group)

EDS/ MINUTES

The Open Minutes of the Meetings held on 15th August 2019, were noted, approved as a true record and signed by the Chairman.

EDS/ DECLARATIONS OF INTEREST

The Committee was informed that no declarations of interest had been received.

EDS/ QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10

The Committee was informed that no questions from Members of the Public had been received.

EDS/ QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no questions from Members of the Council had been received.

EDS/ REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEEEDS/ **CORPORATE PLAN 2016 – 21 PERFORMANCE REPORT**

The Strategic Director (Service Delivery) presented the report to the Committee, explaining that this would be the final report for this particular plan following the approval of the new Corporate Plan (2020 to 2024) by Council on 31st October 2019. The Strategic Director (Service Delivery) highlighted the main areas where improvements are required on the Risk Register.

Following questions from Members regarding the areas for improvement on the Risk Register the Strategic Director (Service Delivery) informed the Committee that waste recycling remained a challenge and achieving 50% was difficult. Following an analysis of bin composition there still appears to be a lot of recyclable items in the residual bin. Improvements could be made by introducing weekly food waste collections or reducing the size of the residual waste bin. Lots of ideas were currently being considered to inform the future shape of waste collection services in the District.

RESOLVED:

That the Committee considered progress against performance targets set out in the Corporate Plan.

That the Risk Register and Action Plan for the Committee's services have been reviewed

EDS/ **STAFF TRAVEL PLAN**

The Head of Environmental Services presented the report to the Committee explaining that the plan had been developed using the feedback from the 2018/19 staff survey and the Staff Travel Group set up in the Spring of 2019. The Head of Environmental Services highlighted the main areas of the report and advised the Committee of the predicted costs and savings to deliver the plan over the next five years.

Councillor Fitzpatrick enquired whether staff had been engaged regarding the intention to achieve 70% sustainable travel within the next five years. The Head of Environmental Services informed the Committee that staff had not been involved with the setting of the target but this target would stay agile and with the engagement of staff would be reviewed annually.

RESOLVED:

That the Committee approved the adoption of a Staff Travel Plan 2019-2024 for South Derbyshire District Council (SDDC).

That the Committee approved the adoption of a Staff Travel Action Plan for 2020 to support the delivery of the SDDC Staff Travel Plan.

That the Committee receive a further report outlining the resources required to deliver the Staff Travel Action Plan and other associated environmental activities including Climate Emergency actions

EDS/ **CLIMATE EMERGENCY PLANNING**

The Head of Environmental Services presented the report to the Committee which set out the Council's response to the climate emergency and highlighted the intention to be carbon neutral by 2030 and to be an exemplar for carbon reduction. The Head of Environmental Services also informed Members that this will be reported to the Committee on an annual basis

Councillor Mrs. Brown enquired if there was joint working with other councils and what are the biggest carbon producing elements within the County. The Head of Environmental Services informed Members that a County-wide officers' group has been in place since September 2019 and partnership working will increase over the next year. Members were also told that Leisure Centres, transport and heating of homes are the biggest carbon producing elements, but measures are being considered on how to reduce carbon emissions caused by homes including working with Nottingham City Council to assist with future proofing housing stock.

RESOLVED:

That the Committee noted the progress made since the declaration of a Climate Emergency and approves the proposed approach for developing and delivering a Climate Emergency Action Plan.

EDS/ **LOWES LANE PUBLIC OPEN SPACE PROTECTION ORDER**

The Head of Environmental Services presented the report to the Committee explaining how this tied in with fly-tipping in the area, which has increased despite a range of different techniques that have been used.

Councillor Tilly enquired whether other areas of fly-tipping are also being considered. The Head of Environmental Services informed the Committee that other hotspots were being looked at.

RESOLVED:

That the Committee approved the proposed declaration of a Public Spaces Protection Orders (PSPO) at Lowes Lane, Swarkestone.

EDS/ **LOCAL GREEN SPACES – PROPOSED MODIFICATIONS**

The Strategic Director (Service Delivery) delivered the report to the Committee outlining the proposed modifications following the Examination in Public in September 2019. [Page 87 of 139](#)

RESOLVED:

That the Committee approved the proposed modifications to the Local Green Spaces Plan and authorises consultation on the proposed modifications.

EDS/ **LOCAL PLAN UPDATE**

The Policy Planning Officer (Sustainability) presented the report to the Committee explaining that options regarding the review of the Local Plan have been considered at length and that the Housing Market Area Partners have been fully involved in developing the revised Local Plan for South Derbyshire.

Councillor Tilley fully supported the plan but wanted to be assured that that need of another local authority would not be imposed upon this Council. Members also raised the importance of a Statement of Common Ground and cooperation with other local authorities. The Policy Planning Officer (Sustainability) informed the Committee that cross border issues still needed to be discussed but this would not impact very much on the District's housing stock decisions and housing requirements. The Local Plan will not specify where developments will be but there is due to be a greenbelt review across three districts and constraints to be included within the growth strategy will need to be considered.

RESOLVED

That the Committee endorsed the Council and the authorities comprising the Derby Housing Market Area (HMA) preparation of separate local plans, whilst developing Statements of Common Ground as required.

EDS/ **DRAINAGE AND WASTEWATER MANAGEMENT PLAN**

The Policy Planning Officer (Sustainability) presented the report to the Committee outlining the proposals by Severn Trent Water to prepare a Drainage and Wastewater Management Plan and the Council's proposed response to Severn Trent Water on the preparation and scope of the Plan.

RESOLVED:

That the Committee authorised the proposed response to Severn Trent Water's (STW) Drainage and Wastewater Management Plan Stakeholder Consultation set out in this main body of this report and this consultation as per Appendix 2 of the report.

That the Committee is aware that a senior officer from STW has been invited to Overview and Scrutiny Committee on the 27th November to discuss the Plan and Severn Trent's wider approach to managing drainage and wastewater.

EDS/ **DRAFT STRATEGIC HOUSING AND ECONOMIC LAND AVAILABILITY ASSESSMENT METHODOLOGY CONSULTATION**

The Policy Planning Officer (Sustainability) presented the report to Committee, explaining that the methodology had been drafted in line with Government guidance.

RESOLVED:

That the Committee approved the draft methodology for the Strategic Housing and Economic Land Availability Assessment (SHELAA) as per Appendix 1 of the report, for public consultation.

EDS/ **COMMITTEE WORK PROGRAMME**

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/47 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meetings held on 15th August 2019 were approved as a true record and signed by the Chairman

EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

The meeting terminated at 7.30 pm.

COUNCILLOR MACPHERSON

PLANNING COMMITTEE

26th November 2019

PRESENT:

Conservative Group

Councillors Mrs Brown (Chairman), Mrs Bridgen (Vice-Chairman), Brady, Ford, Muller, Patten (substituting for Councillor Angliss), Watson and Councillor Mrs Wheelton)

Labour Group

Councillors Gee, Dr. Pearson, Shepherd, Southerd and Tilley.

PL/107 **APOLOGIES**

Apologies for absence were received from Councillor Angliss, (Conservative Group).

PL/108 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest received.

PL/109 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/110 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/111 **OUTLINE APPLICATION (ALL MATTERS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT FOR UP TO 550 UNITS, A TWO-FORM ENTRY PRIMARY SCHOOL, STRATEGIC ROAD LINKS (CONNECTING BOULTON MOOR PHASE 1 AND SNELSMOOR GRANGE) PUBLIC OPEN SPACE INCLUDING CHILDREN'S PLAY PROVISION, SURFACE WATER DRAINAGE AND LANDSCAPING AND ANCILLARY SUPPORTING INFRASTRUCTURE (BOULTON MOOR PHASE 2) ON LAND AT SK3931 2744 MILL HILL BOULTON MOOR DERBY**

The Planning Delivery Team Leader updated the Committee that since the report's publication there is now a Tree Preservation Order (TPO) on site. The Planning Delivery Team Leader informed the Committee that extensive work had been undertaken to address the off-site highways mitigation work required, with both the City and County Highway Authorities and Highways Agency now content. The Planning Delivery Team Leader reported that the Agent had the previous day lodged a letter raising concern over the wording of proposed condition 1 (time allowed to submit reserved matters), 11 (a culvert/watercourse assessment), conditions 24 and 25 (relating to the timing and phasing of the highway mitigation works) and condition 29 (dealing with links to the adjacent site in Derby City), and that the intention to deal with provision of a bus service should be done by condition instead of financial contribution through a planning obligation. The latter would ensure alignment of controls between South Derbyshire District Council and Derby City Council. The Planning Delivery Team Leader recommended amendments to conditions 1, 11, 24, 25 and 29, although it was noted that legal advice had been sought in respect of condition 29 to the degree that the condition should not be amended to the extent as proposed by the Agent. The Planning Delivery Team Leader also recommended that whilst the conditions remain substantive that Delegated Authority be sought for the Head of Service, in agreement with the Chairman, to allow for fine tuning of the amendments to the conditions as these were still subject to statutory notification with the Applicant.

The Applicant's Agent attended the Meeting and addressed Members on this application.

Members raised comments or queries in relation to the phasing in of the bus service and requested clarity about the Section 106 funding for the service. The Planning Delivery Team Leader responded to the queries explaining that the bus service will be a phased service as it would not be viable to run a full service until there are the majority of residents in place. The Planning Delivery Team Leader informed the Committee that there would be Service Level Agreement in place with the Developer for the bus service rather than funding being included within the Section 106.

Councillor Dr. Pearson questioned whether it was appropriate to delegate authority for an extensive section 106 package. Councillor Southerd asked if it was possible to bring a report to the Committee regarding the outcome of the section 106 negotiations.

RESOLVED:

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery) to take account of the TPO with noted amendment to conditions 1, 11, 24 and 25 and the insertion of condition 29, and that a further report on the total section 106 'package' is to come to the Committee prior to approval.

PL/112 **THE ERECTION OF A DETACHED DWELLING AT 1 YEW TREE LANE THULSTON DERBY**

It was reported that members of the Committee had visited the site earlier in the day.

The Senior Planning Officer presented the report to Committee, pointing out the proximity of the dwelling to neighbouring properties.

An Objector and the Applicant attended the Meeting and addressed Members.

Member raised comments and concerns regarding the look of the property, parking facilities, access onto the road and the possible retention of the current wall.

The Senior Planning Officer informed Members that the augment of the property would be a cascading approach and fits the criteria of the In-fill Policy. Following a traffic survey, the County Highway Authority has no objection to the development and the wall falls within permitted development allowance for removal outside of this planning application.

RESOLVED:

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery)

PL/113 **CHANGE OF USE FROM RETAIL (USE CLASS A1) TO BEAUTICIANS (USE CLASS SUI-GENERIS USE) AT 10 WEST STREET, SWADLINCOTE, DE11 9DE**

The Planning Delivery Team Leader presented the report to Committee.

The Applicant's Surveyor attended the Meeting and addressed Members.

RESOLVED:

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery) with the amendments to Condition 4.

PL/114 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 7.10PM.

COUNCILLOR MRS L BROWN

CHAIRMAN

OVERVIEW AND SCRUTINY COMMITTEE

27th November 2019

PRESENT:-

Conservative Group

Councillors Brady (Vice-Chairman), Atkin, Corbin and Dawson

Labour Group

Councillors, Gee and Mrs Stuart

In Attendance

Councillors Mrs Brown and Shepherd

OS/29 **APOLOGIES**

Apologies were received from Councillor Hewlett (Chairman) (Conservative Group) and Councillors Bambrick (Labour Group).

OS/30 **MINUTES**

The Open Minutes of the Meeting held on 4th September 2019 were taken as read, approved as a true record and signed by the Vice Chairman.

OS/31 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

The Committee was informed that no declarations of interest had been received.

OS/32 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee was informed that no questions from members of the Public had been received.

OS/33 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed that no questions -from Members of the Council had been received.

OS/34 RURAL BROADBAND (DIGITAL DERBYSHIRE) – Verbal Update

Apologies had been received from Digital Derbyshire. The Committee was informed that they have confirmed they will address the Committee with an update in the near future.

OS/35 SEVERN TRENT WATER – Verbal Update

Severn Trent Water delivered a comprehensive update regarding Drainage and Wastewater Management and Plans (DWMP) explaining what DWMPs are, looking at future challenges, the importance of working together with a variety of stakeholders and the adoption of Sustainable Drainage (SuDS).

Councillor Brown enquired about how Severn Trent's Flood Plans for high risk areas interacts with the Environment Agency's River Plan, and if people were able to sue Severn Trent if their properties are flooded. Severn Trent explained that the plans are built when needed with the strategic planning groups, which includes numerous stakeholders to investigate what is causing problems and if Severn Trent was found to be negligent then they could be sued.

Councillor Atkin raised concern that the current drainage system is not appropriate and enquired whether increasing pipe sizes had been considered. Severn Trent confirmed that this had been considered but managing the surface water is the solution.

Following discussions between Members it was agreed that the Chairman would invite the Head of the Local Flood Agency to attend a future Committee.

OS/36 COMMITTEE WORK PROGRAMME**RESOLVED:**

That the Committee considered and approved the updated work programme including Annexe 'A'.

OS/37 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**RESOLVED:-**

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

**EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER
COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 7.25pm.

COUNCILLOR BRADY

VICE- CHAIRMAN

PLANNING COMMITTEE

17th December 2019

PRESENT:-

Conservative Group

Councillor Mrs. Brown (Chairman), Councillor Mrs. Bridgen (Vice-Chairman) and Councillors Angliss, Brady, Ford, Muller, Watson and Mrs. Wheelton

Labour Group

Councillors Gee, Dr Pearson, Shepherd, Southerd and Tilley

In Attendance

Councillors Corbin and Mrs. Patten

PL/115 **APOLOGIES**

The Committee was informed that no apologies for absence were received

PL/116 **DECLARATIONS OF INTEREST**

It was noted that no declarations of interest were received

PL/117 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/118 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/119 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE ERECTION OF UP TO 150 DWELLINGS AND LAND FOR A COMMUNITY FACILITY ALONG WITH PUBLIC OPEN SPACE, LANDSCAPING AND SUSTAINABLE DRAINAGE SYSTEM (SUDS) AND VEHICULAR ACCESS TO WESTON ROAD ON LAND AT SK4129 0030, WESTON ROAD, ASTON ON TRENT, DERBY**

The Planning Delivery Team Leader updated the Committee on this application pointing out that there has been a similar application refused and requested that the Committee consider the proposal again to ascertain if there were any change to the previous decision.

An Objector attended the meeting and addressed Members on this application.

RESOLVED:-

That planning permission be refused as recommended in the report of the Strategic Director (Service Delivery)

PL/120 **THE ERECTION OF PART SINGLE, PART TWO-STOREY FACILITY FOR THE EXTRACTION, PROCESSING, BOTTLING AND DISTRIBUTION OF WATER BASED PRODUCTS (COMBINED B2 AND B8 USE) ALONG WITH ASSOCIATED ANCILLARY OFFICE, INFRASTRUCTURE, ACCESS PARKING AND LANDSCAPING AT PLOTS 5 AND P2 - 01, DOVE VALLEY PARK, PARK AVENUE, FOSTON, DERBY, DE65 5BG**

The Planning Delivery Team Leader updated the Committee highlighting the amendments to the previous application and that the response from Lead Local Flood Authority gave approval to the adjusted drainage condition.

An Objector and the Applicant's Agent attended the Meeting and addressed Members on this application.

Following comments from the Objector the Planning Delivery Team Leader confirmed that the security fencing would sit on the plant side.

The Committee raised concerns regarding the travel plan, planting of and the height of the bund as well as environmental lighting and requested that encouragement be given to the formation of a local liaison committee.

The Planning Delivery Team Leader confirmed that the condition for the travel plan will ensure that the encouragement of car sharing, use of bus service and cycling to work etc. is to be enshrined within the travel plan. Conditions will also be amended to specify the height and planting of the bund. It is also expected that the only navigational lighting will be used to alleviate any impact on the environment.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), including amendments to Conditions 10, 15, 28 and 29 and informative to encourage a liaison forum.

PL/121 **OUTLINE APPLICATION (MATTERS OF ACCESS TO BE CONSIDERED NOW WITH ALL OTHER MATTERS TO BE RESERVED FOR LATER CONSIDERATION) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 100 DWELLINGS INCLUDING INFRASTRUCTURE AND ASSOCIATED WORKS ON LAND AT SK3430 7732 DEEP DALE LANE, BARROW ON TRENT, DERBY**

The Planning Delivery Team Leader presented the report to the Committee highlighting the amended conditions that have been agreed by the applicant and the updated response from the Head of Planning and Strategic Housing request for a commuted sum in lieu of affordable housing on site.

The Applicant's Agent attended the Meeting and addressed Members.

Councillor Shepherd raised concern regarding the transport links and land available for a GP surgery on the wider site, requesting that this be part of those proposals.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), including correction to Condition 9.

PL/122 **THE FELLING AND REMOVAL OF COPPER BEECH TREE AT CHAPEL, REPTON SCHOOL, WILLINGTON ROAD, REPTON, DERBY, DE65 6FH**

The Head of Planning and Strategic Housing presented the report, informing the Committee of the need to remove the severely diseased tree. The Head of Planning and Strategic Housing informed Committee that replacement of the tree would be sought although this was not compulsory.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), with the decision to be publicised.

PL/123 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decisions in relation to the following applications:

E/2017/00143 Hallcroft Avenue, Seales Dismissed Delegated
 Overseal

PL/124 **BT PUBLIC PAYPHONE REMOVALS**

The Planning Delivery Team Leader presented the report to the Committee, informing Members of the objections received.

Members enquired whether this included the removal of the telephone boxes. The Planning Delivery Team Leader informed the Committee that it only referred to the removal of telephone lines and does not mention telephone boxes.

RESOLVED:-

That the Committee approves the feedback of objections (to BT) received from Etwall and Willington Parish Councils for the BT public payphones to remain at Castle Way Willington, Main Street, Etwall (outside John Port School) and Bellfield Road, Etwall.

That the Committee approves the agreed response to the proposed removal of the other eleven BT public payphones without any objection.

PL/125 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 7.35PM.

COUNCILLOR MRS L BROWN

CHAIRMAN

OVERVIEW AND SCRUTINY COMMITTEE

15th January 2020

PRESENT:-

Conservative Group

Councillors Hewlett (Chairman) Brady (Vice-Chairman), Atkin, Corbin and Dawson

Labour Group

Councillors Bambrick, Gee and Mrs Stuart

OS/38 **APOLOGIES**

The Committee was advised that no apologies had been received.

OS/39 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

The Committee was informed that no declarations of interest had been received.

OS/40 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee was informed that no questions from members of the Public had been received.

OS/41 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed that no questions -from Members of the Council had been received.

OS/42 **BUDGET SCRUTINY 2020**

The Strategic Director (Corporate Resources) delivered a presentation to the Committee outlining the key areas in the proposed budget for 2020/21 and the Medium-Term Financial Plan to 2024. This focused on the projected 5 year spending plan, the New Homes Bonus and Business Rates.

Members raised queries regarding when will the New Homes Bonus run out, procurement of services in relation to value for money and when and how is the procurement service monitored. The Strategic Director informed Committee that the New Homes Bonus is due to be replaced in 2021 and the current Local Plan provides for new housing to around 1 2030. The Strategic Director (Corporate Resources) explained to Members that the Procurement Service is part of a Shared Service Arrangement which is managed by Chesterfield NHS Trust and

the contract is due to end 2021. The Procurement Service is currently monitored on a monthly basis and is reported to Finance and Management Committee on a quarterly basis. Following further discussion with Members it was agreed that the Strategic Director (Corporate Resources) bring back an update to the next Committee regarding the Procurement Service.

RESOLVED:

That the Committee noted the proposed budgets of the Council for 2020/21.

The Committee noted the medium-term financial plans of the General Fund and Housing Revenue Accounts.

OS/43 **IMPLEMENTATION OF UNIVERSAL CREDIT - UPDATE**

The Strategic Director (Corporate Resources) presented the report to the Committee updating Members that there had been an increase in Council Tenants moving onto Universal Credit. There are still a lot of tenants that remain on Housing Benefit and will not be transferred until the Government decides to migrate existing claimants onto Universal Credit. The Strategic Director (Corporate Resources) outlined the impact the roll out of Universal Credit for tenants, the HRA, and on resources in the service area.

Members raised queries regarding the length of time it takes for Universal Credit to be paid and was there anything we could do to shorten the gap. The Strategic Director (Corporate Resources) informed the Committee that there was very little the Council could do but there is a welfare group looking at the time it takes to process claims etc. and there has been a lot of lobbying of Government regarding this issue.

RESOLVED:

That the Committee noted the current position and progress in implementing actions for supporting tenants and potential claimants of Universal Credit.

That the Committee noted the impact on resources in Customer Services, Revenues and Benefits, together with planned actions to mitigate the risks associated with changes in working practices.

OS/44 **RECYCLING RATE – HOW CAN IT BE IMPROVED?**

The Head of Operational Services delivered the Report to the Committee and explained that South Derbyshire District Council's recycling and composting performance placed the Council in the top 50% of English Local Authorities. The Head of Operational Services informed the Committee that an appraisal will

need to consider how the Council can meet future recycling targets and compliance with any future legislation. It was clarified that supermarkets are not included in the Council's waste and recycling as they are covered separately by packaging waste regulations. The Head of Operational Services added that the current recycling contract is due to end in 2021 but an option was being considered to obtain an extension until 2023 when the new Environment Bill is expected.

Members raised a number of questions and queries including what does the Council do to reinforce the recycling message, can black bags be recycled, can small business have access to recycling bin collections and how can we reduce the amount of non-recyclable waste?

The Head of Operational Services and the Strategic Director (Service Delivery) informed the Committee that there is a Recycling A to Z on the Council's website with a lot of information and when bins are rejected for incorrect recycling and cross contamination then bins are labelled with the reasons why they have been rejected. The Committee were also informed that black bags cannot be recycled due to the black dye currently used. The Council is considering a number of options to reduce the amount of non-recyclable waste including collecting such waste less often.

RESOLVED:

That the Committee noted and discussed the information contained in this report.

That the Committee endorsed the use of the information contained in the report to inform the future scope of the Council's recycling service beyond the end of the Council's current recycling contract in October 2021.

OS/45 **COMMITTEE WORK PROGRAMME**

RESOLVED:

That the Committee considered and approved the updated work programme including Annexe 'A'.

OS/46 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the

remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

**EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER
COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 8.00pm.

COUNCILLOR HEWLETT

CHAIRMAN

HOUSING AND COMMUNITY SERVICES COMMITTEE

30th January 2020

PRESENT:-

Conservative Group

Councillor Roberts (Chairman) Councillor Pegg (Vice-Chairman) and Councillors Atkin, Corbin, Churchill, Mrs Haines, Dr Perry and Mrs Wheelton

Labour Group

Councillors Mrs Heath, Mulgrew, Rhind, Richards, and Shepherd

HCS/70 **APOLOGIES**

The Committee was informed that no apologies had been received

HCS/71 **MINUTES**

The Open Minutes of the Meeting held on 21st November 2019 were noted and approved as a true record and signed by the Chairman.

HCS/72 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest from Members of the Council had been received.

HCS/73 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

HCS/74 **QUESTIONS FROM MEMBERS OF COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

HCS/75 **REPORTS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE

HCS/76 **HOUSING ALLOCATIONS POLICY**

The Strategic Director (Service Delivery) presented the report to the Committee highlighting the following extended consultations the maximum household eligibility income had been raised from £40,000 to £60,000. The Housing Services Manager explained that the final policy document will be finished later in the year.

RESOLVED:-

- 1.1 That the responses to the consultation on the Housing Allocations Policy be accepted for inclusion within a revised policy which to be presented to the Housing and Community Services Committee later this year.***
- 1.2 That the Committee agreed to review the options for the procurement of a new Choice Based lettings system during 2020/21.***

HCS/77 **HOMELESSNESS AND ROUGH SLEEPING STRATEGY**

The Housing Services Manager presented the report to the Committee explaining that it was necessary to carry out a comprehensive review as it had been 10 years since the last review of homelessness and that the Government's homeless advisor is supportive of our approach.

Councillor Churchill enquired whether headlines covered within strategy document are fixed and Councillor Richards asked for clarity whether the impact of Universal Credit on homelessness will be considered. The Housing Services Manager informed the Committee that the LGA toolkit guidance will be used which tells the Council what the review should include. Members were also informed that changes to benefits will be in the scope of the review.

RESOLVED:

- 1.1 That the Committee noted the content of the Homelessness Strategy Statement be submitted to the Ministry of Community Housing and Local Government.***
- 1.2 That the Committee approved the procurement of an external provider to carry out a comprehensive review of homelessness services and produce a Homelessness, Rough Sleeping and Temporary Accommodation Strategy.***

HCS/78 TRANSFER OF HOUSING REPAIR CALLS INTO CUSTOMER SERVICES

The Head of Customer Services presented the report explaining then need to address customer dissatisfaction with the currently housing repairs call service.

Councillor Churchill enquired how will the improvement in service be measured. The Head of Housing Services informed Committee that customer satisfaction feedback forms will be used to measure the success of the changes.

Councillor Rhind asked how many of calls currently received are linked to reporting of outstanding repairs. The Housing Services Manager explained that as there are only two telephone lines available a lot of customers cannot get through but it is expected that by moving the calls to Customer Services this will help identify when repairs have not been carried out in time.

Councillor Perry enquired how will the Service know what the success rate is of the follow up calls regarding the progress of repairs. The Head of Customer Services informed the Members that both Customers Service Feedback and auditing will be used.

RESOLVED:-

- 1.1 That the Committee approved the transfer of Housing Repair calls into Customer Services which will require the creation of an additional Customer Services Advisor post on the Council's establishment, which will be either a full-time Modern Apprentice, or a part-time skilled Customer Services Advisor.***
- 1.2 That the Committee approved the financial and staffing implications of the transfer of calls be referred to the Council's Finance and Management Committee on 13th February 2020 for approval.***

HCS/79 ADOPTION OF THE STRATEGIC HOUSING MARKET ASSESSMENT (SHMA)

The Strategic Housing Manager delivered the report to the Committee explaining that this research can be used by the Council as a tool for future building including elderly provision and homes.

Councillor Atkin raised concern about the need for more elderly care provision and how this can be delivered. The Strategic Housing Manager informed the Committee that there is a reduction in residential care beds and therefore future proofing of homes to allow for increased provision for care in the home is needed.

RESOLVED:-

- 1.1 That the Committee formally adopted the updated Strategic Housing Market Assessment (SHMA) as per Appendix 1 of the Report.***
- 1.2 That the Committee noted the content of the Executive Summary document and the implications of the findings for South Derbyshire.***
- 1.3 That the report be referred to Environmental and Development Services Committee for its endorsement for use as a material consideration to assist in the determination of future planning applications.***

HCS/80 **SWAD IN BLOOM**

The Head of Cultural and Community Services presented the report to the Committee outlining the main purpose and intentions of the “Swad In Bloom” Group (SIBG).

Members were very supportive of this and keen that this movement will only help to improve many areas within Swadlincote. Councillor Atkin asked whether private sites could be used as well as Council Sites and if there was any funding available from the Council. The Head of Cultural and Community Services explained that all types and ranges of sites will be targeted and the Council was not giving the money to the movement but will support them to get sponsorship.

RESOLVED:-

- 1.1 That the Council join in with and support the national Royal Horticultural Society (RHS) “In Bloom” Scheme.***
- 1.2 That the Council supports the “Swad in Bloom” Group (SIBG) and its Action Plan.***
- 1.3 That the Committee approved permission for the SIBG to maintain and improve, in partnership with the Council, the areas of Council land, as delineated on the plans Appendix 1 and 2 of the Report.***
- 1.4 That the Council provides advice, help and support to the formative SIBG on volunteering protocols, insurance, risk assessment, proposed projects etc.***
- 1.5 That the Council supports the SIBG in any application for permissions, grant-aid and funding which affects Council land or impacts on the visual amenity of the town.***

HCS/81 **COMMITTEE WORK PROGRAMME**

RESOLVED:-

The Committee considered and approved the updated work programme.

HCS/82 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 21st November 2019 were received.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed that no questions had been received.

STRUCTURE REVIEW CULTURAL AND COMMUNITY SERVICES

Members approved the recommendations in the report.

The Meeting terminated at 7.05 pm.

COUNCILLOR A ROBERTS

CHAIRMAN

PLANNING COMMITTEE

4th February 2020

PRESENT

Conservative Group

Councillor Mrs. Brown (Chairman), Councillor Mrs. Bridgen (Vice-Chairman) and Councillors Angliss, Brady, Mrs Haines (substituting for Councillor Ford), Muller, Watson and Mrs. Wheelton

Labour Group

Councillors Gee, Dr Pearson, Shepherd, Southerd and Tilley

PL/126 **APOLOGIES**

Apologies for absence were received from Councillor Ford (Conservative Group)

PL/127 **DECLARATIONS OF INTEREST**

It was noted that no Declarations of Interest were raised

PL/128 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/129 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/130 **THE ERECTION OF A 66 BED RESIDENTIAL CARE HOME AND TWO BUILDINGS CONTAINING 8 NO. RETIREMENT APARTMENTS AND ASSOCIATED WORKS AT THE FORMER SOUTH DERBYSHIRE DISTRICT COUNCIL DEPOT, DARKLANDS ROAD, SWADLINCOTE, DE11 0PJ**

It was reported that members of the Committee had visited the site earlier in the day.

The Planning Delivery Team Leader outlined this application and updated the Committee on a previous application that was granted in 2018 for a care facility, public house and a takeaway on this site which had never been developed. The Planning Delivery Team Leader also informed Members of an amendment to Condition 18.

The Applicant's Agent attended the Meeting and addressed Members on this application and on the next application together.

Members raised concern that improvement to the Brook area was not included within this application and asked whether this would be covered within the second application relating to the car park. The Planning Delivery Team Leader explained that the Brook area is not included within the redline of the site for either applications.

Councillor Tilley agreed with Members but welcomed the fact that the footpath and road will be improved as well as the creation of 50/60 new local jobs.

RESOLVED:

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery) including an amendment to Condition 18.

PL/131 **OUTLINE APPLICATION (MATTERS OF ACCESS, LAYOUT, SCALE, APPEARANCE AND LANDSCAPING RESERVED FOR LATER CONSIDERATION) FOR THE FORMATION OF A CAR PARK WITH ACCESS FROM DARKLANDS LANE ON LAND TO THE SOUTH OF DARKLANDS LANE, SWADLINCOTE, DE11 0PJ**

It was reported that members of the Committee had visited the site earlier in the day.

The Planning Delivery Team Leader outlined this application explaining how it links to the previous application and is only an outline application. The Planning Delivery Team Leader reported an amendment to condition 6.

The Applicant's Agent attended the Meeting and addressed Members on this application and the previous application together.

Members and Councillor Tilley raised concern that the opportunity to enhance the Brook area is being missed. The Head of Planning and Strategic Housing

agreed to address the Brook issue with the Head Cultural and Community Services.

RESOLVED:

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), including amendment to condition 6.

PL/132 **THE VARIATION OF CONDITION 1 AND REMOVAL OF CONDITION NO. 4 OF PERMISSION REF. 9/2018/0959 (RELATING TO THE ERECTION OF A SUN CANOPY) AT 11 THE GREEN WILLINGTON DERBY**

The Planning Delivery Team Leader addressed the Committee regarding this application highlighting the previously approved applications for a half-glazed structure in 2017 and temporary outdoor lighting in 2018. This new application is to address the enforcement notice issued to reduce the full height glazed structure to half height as approved in 2017 as well as the retention of the outdoor lighting. Part of the conditions will be to also erect an artificial hedgerow in the area where there is a gap and must match that of the existing in the area.

An Objector attended the Meeting and addressed Members.

Following the comments from the objector the Planning Delivery Team Leader informed members that the Conservation Officer is happy with the false hedgerow.

The Vice Chairman asked if the boundary hedgerow formed part of the previous planning applications. The Planning Delivery Team Leader confirmed that the hedgerow was not included in either the 2017 nor 2018 approvals.

Members pointed out the information provided was very confusing and as the applicant has flouted previous planning conditions, it was proposed that a site visit be carried out prior to any approval by the Committee.

RESOLVED:-

That determination of the case be deferred pending a site visit.

PL/133 **THE ERECTION OF A REPLACEMENT DWELLING AT SPRING FARM COTTAGE ROSLISTON ROAD DRAKELOW SWADLINCOTE**

The Head of Planning and Strategic Housing presented the report, explaining that the replacement dwelling will be substantially the same footprint as the existing buildings. A species report identified the current building as a potential

roost for whiskered bats and therefore the availability for the bats to roost will be incorporated within the new build.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery) subject to the amendment of Condition 10.

PL/134 **THE FELLING AND PRUNING OF TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 157 ON LAND AT BRETBY HEIGHTS AND BRETBY HOLLOW, NEWHALL, SWADLINCOTE**

The Planning Delivery Team Leader presented this report highlighting that the group of trees are subject to a Tree Preservation Order and requires the Committee give consent for tree maintenance to be carried undertaken.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

PL/135 **THE REMOVAL OF DEADWOOD AND MINOR CROWN REDUCTION OF A MATURE OAK TREE(S) COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 273 ON LAND ADJACENT TO 62 ST JOHNS DRIVE, NEWHALL, SWADLINCOTE, DE11 0SU**

The Planning Delivery Team Leader presented this report highlighting that the group of trees are subject to a Tree Preservation Order and requires the Committee give consent to remove deadwood and reduce the crown spread.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

PL/136 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decisions in relation to the following applications:

9/2019/0505	Alexandra Road, Swadlincote	Swadlincote	Dismissed	Delegated
E/2014/00149	Lowes Lane, Swarkestone	Aston	Split Decision	Delegated

PL/137 **SECTION 106 PLANNING OBLIGATIONS FOR BOULTON MOOR PHASE 2 (BM2)**

The Head of Planning and Strategic Housing addressed the Committee presenting the report giving the headlines of the Section 106 Agreement, regarding primary and secondary school provision. In addition to this the Head of Planning and Strategic Housing highlighted the arrangements for the bus service will now be managed via a Service Level Agreement (SLA) will be via a planning condition and not through Section 106 Agreement. SUDS will also not be part of the Section 106 but will be a planning condition. The Committee was also informed that changes to legislation mean that sums can be requested to monitor and report on the use of Section 106 Agreements, including this one.

Councillor Southerd enquired whether 106 funding could be used to the extend the role of an officer and enable them to share information with Councillors.

The Head of Planning and Strategic Housing explained to members that the 106 funding can only be used for monitoring purposes.

Councillor Shepherd raised concern that the CCG Strategy is not complete and that currently the Healthcare provision is completely inadequate.

The Head of Planning and Strategic Housing suggested that if the Committee so wished, he could write to the CCG requesting that they focus on local facilities first.

Members welcomed the detail regarding the bus service and the fact that this would now be a condition and wondered if there would be an end date for the Service Level Agreement and could the threshold for the commencement of the be improved.

The Head of Planning and Strategic Housing informed the members that there is an end date set for the SLA as it is not known when it will start, and he would express their concerns about the bus service to the City and request consideration by the Developer of starting the bus service sooner than by the 100th dwelling.

RESOLVED:-

That the Committee agree the planning obligations set out in this report, delegating authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the obligations to be secured by way of a Section 106 agreement.

In addition to the above the Committee agree for the Head of Planning and Strategic Housing write to the CCG.

PL/138 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 7.15 PM.

COUNCILLOR MRS L BROWN

CHAIRMAN

OVERVIEW AND SCRUTINY COMMITTEE

12th February 2020

PRESENT:-

Conservative Group

Councillor Hewlett (Chairman), Councillor Brady (Vice-Chairman) and Councillors Atkin and Corbin

Labour Group

Councillors Bambrick, and Mrs Stuart

In Attendance

Councillors Mrs Brown and Shepherd

OS/47 **APOLOGIES**

Apologies were received from Councillor Dawson (Conservative Group) and Councillors Gee (Labour Group).

OS/48 **MINUTES**

The Open Minutes of the Meeting held on 16th October 2019 were taken as read, approved as a true record and signed by the Chairman.

OS/49 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

Councillor Atkin declared a personal interest in Item 6, Digital Derbyshire – Verbal Update, by virtue of being a County Councillor, advising he would not participate in the debate.

OS/50 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee was informed that no questions from members of the Public had been received.

OS/51 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed that no questions -from Members of the Council had been received.

OS/52 DIGITAL DERBYSHIRE – VERBAL UPDATE

Digital Derbyshire delivered a presentation to the Committee which gave an overview of the Programme to date and what is coming in the future, as well as what different funding streams are available to enable as many customers as possible to gain access to fibre broadband. Digital Derbyshire closed the presentation with a response to questions received from Members prior to the Committee.

Members raised queries regarding the take up of BT Openreach from Developers of new builds for broadband infrastructure and could Planning assist with this. Digital Broadband explained that it is entirely the choice of the Developer, they register the site for communications and then choose whichever Communication Company for telephony and broadband services.

Councillor Corbin went onto to ask when 5G will be available in South Derbyshire. Digital Derbyshire informed the Committee that it is expected that Swadlincote will be one of the first 5G areas but they did not know the timeframe for this.

The Chairman thanked Digital Derbyshire for updating the Committee and looked forward to a further update in the future.

OS/53 CYCLE PROVISION

The Active Community and Health Partnership Manager and the Planning Policy Officer delivered a presentation outlining the report to the Committee. The officers highlighted the Key Cycle Network objectives in medium and long term and reported an increased participation in a number of cycling activities across the District. Members were also informed that the Council's Active Travel Plan encourages staff who live within a 10-mile radius to cycle to work, where practicable.

Following a discussion with Members it was agreed that the Planning Policy Officer would attend the next Committee to give an update on securing elements of the County Council's proposed cycle network through approved planning applications.

RESOLVED:

1.1 The Committee noted the current cycling provision across South Derbyshire.

1.2 The Committee noted the development of a Key Cycle Network for Derbyshire and the implication for proposed routes in South Derbyshire.

OS/54 REPORT BACK TO FINANCE AND MANAGEMENT COMMITTEE ON THE COUNCIL'S BUDGET PROPOSALS – VERBAL UPDATE

The Strategic Director (Corporate Resources) addressed the Committee regarding the report back to the Finance and Management Committee as at the last Committee meeting Members raised concern over the procurement arrangements and how it is currently delivered by a Health Service provider.

Members thought that value for money should be considered and queries were raised about processes.

The Chairman agreed that in his absence Councillor Corbin should take a report to the next Finance and Management Committee requesting a Report back from the Strategic Director (Corporate Resources) to enable this Committee to take a closer look at procurement.

OS/55 PERFORMANCE MEASURES AND BENCHMARKING?

The Strategic Director (Corporate Resources) delivered the report to the Committee giving an overview of the Council's arrangement for measuring performance and benchmarking.

Members raised queries as to why other areas could not meet a 100% of their KPIs as Licensing has done. The Strategic Director (Corporate Resources) explained that in many instances a 100% target is not realistic due to external factors. He explained the use of benchmarking and the need to look behind the figures for detailed comparisons.

RESOLVED:

That the Committee noted the report and agreed to include further analysis of specific performance indicators in the Committee's work programme for 2020/21.

OS/56 COMMITTEE WORK PROGRAMME**RESOLVED:**

That the Committee considered and approved the updated work programme including Annexe 'A'.

OS/57 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 8.00pm.

COUNCILLOR HEWLETT
CHAIRMAN

FINANCE AND MANAGEMENT COMMITTEE

13th February 2020

PRESENT:

Conservative Group

Councillor Watson (Chairman), Angliss (Vice-Chairman) and Councillors, Mrs. Brown, Corbin (substituting for Cllr Billings) Fitzpatrick, Ford, MacPherson and Mrs Patten (substituting for Cllr Roberts).

Labour Group

Councillors Dr Pearson, Rhind, Richards, Southerd and Taylor.

FM/111 **APOLOGIES**

Apologies were received from Councillor Billings and Roberts.

IN ATTENDANCE

Councillors Mrs Brown and Atkin

FM/112 **MINUTES**

The Open Minutes of the Finance and Management Committee held on 10th December 2019 were approved and signed by the Chairman.

The Minutes of the Audit Sub-Committee held on 11th December 2019 were noted.

FM/113 **DECLARATIONS OF INTEREST**

The Committee was informed no declarations of interest from Members of the Committee had been received

FM/114 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed no questions from members of the public had been received.

FM/115 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed no questions from Members of the Council had been received.

FM/116 REPORTS OF OVERVIEW AND SCRUTINY COMMITTEE

Councillor Corbin informed the Committee that the Overview and Scrutiny Committee intends to take a closer look at procurement and has therefore requested a report outlining the business case for using NHS services and if this offers value for money.

MATTERS DELEGATED TO COMMITTEE**FM/117 FINAL BUDGET PROPOSALS 2020/21 AND FINANCIAL PLAN TO 2025**

The Head of Finance delivered the Report to the Committee, highlighting the updates since January 2020, including the New Homes Bonus, Business Rates, and the Housing Revenue Account recharges.

Some Members raised concerns regarding the proposed Council Tax increase and the Head of Finance informed Members that officers can only make recommendations regarding the increase of Council Tax and it is Members who make the decision. The Committee was also informed that a number of groups were consulted, including 6 Area Forums and South Derbyshire Partnership, open invitations were also sent to the Chamber of Commerce and local businesses and no substantial issues had been raised regarding the budget proposals and Council Tax increase.

RESOLVED:

- 1.1 That a Council Tax increase of 1.95% for 2020/21 be recommended to Full Council on 26th February 2020.***
- 1.2 That estimated net General Fund Revenue Expenditure totalling £12,798,230 for 2020/21 be recommended to Full Council on 26th February 2020.***
- 1.3 That Committee approved the Medium-term Financial Plan to 2025 on the Council's General Fund Revenue Account as detailed in Appendix 1 of the Report.***
- 1.4 That Committee Approved the Financial Plan for the Housing Revenue Account (HRA) to 2030 as detailed in Appendix 2 of the Report.***
- 1.5 That Committee approved the transfer of £500,000 from the Growth Provision earmarked reserve into the Vehicle Replacement earmarked reserve.***
- 1.6 That the revised HRA Recharge from the General Fund be approved and updated in the Base Budgets.***

1.7 That Committee noted the Council's National Non-Domestic Rate Return (NDR 1) for 2019/20, showing retained business rates of £11,200,979 for 2020/21 and £10,515,933 for 2019/20.

FM/118 **CAPITAL PROGRAMME BUDGET TO 2025**

The Head of Finance presented the Report giving an overview of the Council's proposed capital expenditure in relation to both the General Fund and the Housing Revenue Account as well funding for the next five year period.

Councillor Richards asked if the Swadlincote Project was on course to complete during the 2019/2020 financial year. The Head of Finance confirmed that this was the case.

RESOLVED:

That the capital programme expenditure and funding to 2025 was considered and approved.

FM/119 **TREASURY MANAGEMENT STRATEGY AND PRUDENTIAL INDICATORS 2020/21**

The Strategic Director (Corporate Resources) requested that as the Appendices had not been shared prior to this Committee meeting, this report be deferred to the next Full Council meeting.

RESOLVED:

The Committee agreed that this report be deferred for consideration at the next Full Council meeting.

FM/120 **ANNUAL REPORT OF THE SECTION 151 OFFICER**

The Strategic Director (Corporate Resources) presented the report to the Committee

Members raised queries regarding the planned housing and asked if Developers chose to build in different areas could they be challenged. The Committee was informed by the Strategic Director (Corporate Resources) that the Local Plan directs where new housing is sited and includes a prediction of housing requirements.

Councillor Fitzpatrick raised queries regarding the Financial Resilience and the dependence of central Government funding of which the Council has no control over. The Strategic Director (Corporate Resources) and the Chief Executive informed Members that the Council is considering other funding

options and commercialisation which could, for example, involve consideration of innovative ways to raise income through tourism and car parking.

RESOLVED:

1.1 That Committee considered and noted the Annual Report of the Section 151 Officer.

1.2 That the Council has due regard to the Annual Report when approving the Budget for 2020/21 at Full Council on 26th February 2020 and when considering future proposals for new spending and the utilisation of resources.

FM/121 **PROPOSED LOCAL COUNCIL TAX REDUCTION SCHEME 2020-21**

The Strategic Director (Corporate Resources) delivered the annual report requesting that the current scheme remains in place to enable a new system to be developed for the next financial year. The Strategic Director (Corporate Resources) informed Members that the Revenues Team is currently working on an options paper which will be brought to Finance and Management Committee for consideration, in April 2020.

RESOLVED:

1.1 Committee approved that the existing Local Council Tax Reduction Scheme currently in place be continued for 2020/21.

1.2 That the detailed parameters be submitted to Full Council on 26th February 2020 for formal adoption.

FM/122 **CORPORATE PLAN MEASURES 2020-2024**

The Strategic Director (Corporate Resources) presented the report to the Committee highlighting that the Council's priorities will be managed using the 35 Corporate measures detailed in the report. Members were also informed that a quarterly update will be provided to the Finance and Management Committee.

RESOLVED:

1.1 That Committee approved the 35 Corporate measures to support the Corporate Plan for 2020-2024, as per Appendix A (Performance Dashboard 2020-2024) of the Report.

1.2 That Committee approved the detailed Performance Measures Report template, in Appendix B of the Report.

An indexed Performance Measure Report to be completed for each of the key performance indicators and be reported to Committee at the end of quarter 4 with the outturn figure for quarter 4 2019/2020.

1.3 That Committee approved the proposed changes to the Committee Report incorporating changes to the way the overall performance against the Corporate Plan priorities is reported in section, 4.0 and 4.1 of the report, as per Appendix C of the Report.

FM/123 **TRANSFER OF HOUSING REPAIR CALLS INTO CUSTOMER SERVICES**

The Head of Customer Services presented the report to the Committee explaining how the transfer of Housing Repair calls into Customer Services is intended to improved customer service delivery to the Council's residents and local businesses.

Members raised queries regarding Customer Services being able to cope with the high level of calls that are received each year as well as training for the apprentice. The Head of Customer Services informed Members that currently there is no queueing system available for Housing Repair calls, and customers simply get an engaged tone meaning that numerous calls go unanswered but by moving to Customer Services the members of staff are experienced in taking a variety of calls and can guarantee that all calls will be answered within 20 seconds. The Head of Customer Service added that the cost of £21,000 for the Modern Apprenticeship does include training costs.

Councillor Richards enquired if the Council could claim for an apprenticeship levy. The Strategic Director (Corporate Resources) confirmed that this was the case.

RESOLVED:

That Committee approved the transfer of Housing Repair calls into Customer Services and the creation of an additional Customer Services Advisor post on the Council's Establishment – which will be either a full time Modern Apprentice, or a part-time (18.5 hours a week) skilled Customer Services Advisor.

FM/124 **DOMESTIC ABUSE PROCEDURE – MAKE A STAND CAMPAIGN**

The Head of Cultural and Community Services presented the report to the Committee, updating Members of the progress regarding the four pledges made by the Council in 2018.

RESOLVED:

- 1.1 That Committee noted the progress against the 'Make a Stand' pledges outlined in the report.***
- 1.2 That Committee approved the Domestic Abuse Procedure as per Appendix 1 of the Report.***
- 1.3 Committee agreed that the Strategic Director (Service Delivery) be appointed to champion work that the Council is doing to support people experiencing domestic abuse.***

FM/125 **SOCIAL MEDIA STRATEGY 2020-2021 AND SOCIAL MEDIA ACTION PLAN 2020-2021**

The Head of Organisational Development presented the report to the Committee highlighting the key points of the Action Plan.

Councillor MacPherson added that it was important to ensure that traditional methods of communication are still maintained.

RESOLVED:

- 1.1 That Committee approved the Social Media Strategy 2020-2021 as per Appendix A of the Report.***
- 1.2 That Committee approved the Action Plan 2020-2021, as per Appendix B of the Report.***

FM/126 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report to the Committee.

RESOLVED:

Members considered and approved the updated work programme.

FM/127 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be

transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Finance and Management Meeting held on the 10th October 2019 were received.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed no questions had been received.

STRUCTURAL REVIEW CULTURAL AND COMMUNITY

The Committee approved the recommendation in the report.

ROSLISTON FORESTRY CENTRE – REVIEW OF STAFFING

The Committee approved the recommendation in the report.

REVIEW OF DOCUMENT SERVICES TEAM

The Committee approved the recommendation in the report.

DEBT COLLECTION, RECOVERY, BAD AND DOUBTFUL DEBTS

The Committee approved the recommendation in the report.

The meeting terminated at 7:30 pm.

COUNCILLOR P WATSON

CHAIRMAN

PLANNING COMMITTEE

25th February 2020

PRESENT:-

Conservative Group

Councillor Mrs. Brown (Chairman), and Councillors Angliss, Brady, Dawson (substituting for Councillor Mrs. Bridgen), Muller, Watson and Mrs. Wheelton

Labour Group

Councillors Gee, Dr Pearson, Shepherd, Southerd and Tilley

PL/139 **APOLOGIES**

Apologies for absence were received from Councillor Mrs Bridgen (Vice-Chairman) (Conservative Group)

PL/140 **DECLARATIONS OF INTEREST**

It was noted that Councillor Ford declared that Item PL/145 to be of personal interest and would leave the Chamber prior to the item being discussed.

PL/141 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/142 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/143 **CHANGE OF USE OF LAND FOR THE SITING OF TWO GYPSY/TRAVELLER PITCHES IN LIEU OF ONE PITCH PREVIOUSLY APPROVED UNDER APPLICATION REF. 9/2018/0616, ALONG WITH THE ERECTION OF TWO AMENITY BUILDINGS, THE CREATION OF A HARD SURFACED PARKING AREA AND ACCESS DRIVE, ENGINEERING OPERATIONS TO AMEND THE SITE LEVELS, ALONG WITH ALTERATIONS TO THE SITE ACCESS ON LAND AT SK2913 6212, ACRESFORD ROAD, NETHERSEAL, SWADLINCOTE, DE12 8AP**

It was reported that members of the Committee had visited the site earlier in the day.

The Planning Delivery Team Leader reported changes to conditions 7 and 10 and outlined the chronological background of the Planning Application, that seeks approval for 2 travel pitches, out buildings and carparking facilities. The Planning Delivery Team Leader went on to give detailed information regarding the recommendations by Natural England to deal with the surface water pollutants, such as swales and tree planting, etc. to break the pathway to prevent direct surface water runoff entering the River Mease or its tributaries

An Objector and the Applicant's Agent attended the Meeting and addressed Members on this application.

The Committee raised concerns regarding the impact of the development on the area and felt that the proposed landscaping was not sufficient. The possible contamination of the River Mease was also raised as an issue by Members. The Planning Delivery Team Leader explained that the submitted landscaping is both sympathetic and functional to minimise the view from the A444, conditions will also ensure that planting will be required to negate any visual impact on the surrounding area as well as regarding the necessity for appropriate pathways to stop any pollutants reaching the River Mease.

Following further queries from Members the Planning Delivery Team Leader informed the Committee that the infrastructure is in place for foul sewage and surface water drainage could be included in the conditions as further measures needed.

The Planning Delivery Team Leader also informed the Committee that there were no alternative sites available and currently no spaces on existing sites in the area.

RESOLVED:

Refused contrary to recommendation due to visual / landscape intrusion contrary to policy; risk of contamination of River Mease Special Area of Conservation contrary to policy.

PL/144 **OUTLINE APPLICATION FOR 60 EXTRA CARE FLATS AND TWO BUNGALOWS ALONG WITH ANCILLARY SHOP, HAIRDRESSERS, RESTAURANT, PARKING PROVISION AND GARAGES (APPEARANCE AND LANDSCAPING RESERVED FOR LATER CONSIDERATION) ON LAND AT SK2829 0730 OFF IVY CLOSE, WILLINGTON, DERBY**

The Planning Delivery Team Leader outlined this application and informed the Committee of the reasons why this application should be refused.

The Applicant's Agent attended the Meeting and addressed Members on this application.

The Committee found this to be a totally unacceptable scheme and supported the reasons for refusal.

RESOLVED:

That planning permission be refused as recommended in the report of the Strategic Director (Service Delivery)

Councillor Ford left the Chamber.

PL/145 **THE ERECTION OF AN EXTENSION TO PROVIDE ADDITIONAL BAR AREA AND COVERED EXTERNAL SEATING AT 11 THE GREEN WILLINGTON DERBY**

The Planning Delivery Team Leader addressed the Committee regarding this application and outlined the detail regarding the revised scheme to replace the entrance cover.

The Committee asked if there would be any reduction in current parking spaces as a consequence of this and the Planning Delivery Team Leader informed the Members that there will be no reduction in parking spaces.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery)

PL/146 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decision in relation to the following application:

9/2019/0583	The Castle Way, Willington	Willington and Findern	Allowed	Committee
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PL/147 **TREE PRESERVATION ORDER NO. 517 – LAND AT CADLEY HILL ROAD, SWADLINCOTE AND SWADLINCOTE LANE, CASTLE GRESLEY**

The Planning Delivery Team Leader addressed the Committee presenting the report explaining that a similar Order had been made previously with the Committee agreeing to its modification prior to confirmation in 2013. More recently, doubt was cast over whether the Order was formally confirmed and this new Order was made. Subsequent publicity of this new Order has revealed the first Order was confirmed and therefore Members were asked to modifications to the new Tree Preservation Order made in October 2019.

RESOLVED:-

That the Committee agreed that this Tree Preservation Order (TPO) be confirmed with modifications.

PL/148 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 7.30 PM.

COUNCILLOR MRS L BROWN

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

5th March 2020

OPEN

PRESENT:-

Conservative Group

Councillor MacPherson (Chairman), Councillor Mrs Haines (Vice-Chairman) and Councillors Billings, Ford (substituting for Councillor Dawson), Mrs. Patten, Roberts (substituting for Councillor Mrs Brown), and Mrs Wheelton (substituting for Councillor Fitzpatrick).

Labour Group

Councillors Dunn, Mrs. Heath, Singh, Taylor and Tilley.

EDS/ APOLOGIES

Apologies for absence were received from Councillors. Mrs. Brown Dawson, Fitzpatrick, and Whittenham.

EDS/ DECLARATIONS OF INTEREST

Councillor Roberts declared a personal interest in both Item 5, Key Performance Indicators, and Item 6, Private Hire Cross Borders Enforcement Operational Protocol, advising he would not participate in the debate

Councillor Ford declared a personal interest in Item 9, Consultation on Derbyshire County Council's Developer Contributions Protocol, by virtue of being a County Councillor, advising he would not participate in the debate.

Councillor Mrs. Patten declared a personal interest in Item 9, Consultation on Derbyshire County Council's Developer Contributions Protocol, by virtue of being a County Councillor, advising she would not participate in the debate

EDS/ QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10

The Committee was informed that no questions from Members of the Public had been received.

EDS/ **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

EDS/ **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE

EDS/ **KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT**

The Senior Licensing Officer presented the report to the Committee giving a brief update on the performance of the Licensing Department.

RESOLVED:

That Members noted the performance of the Licensing Department in relation to the Key Performance Indicators

EDS/ **PRIVATE HIRE CROSS BORDER ENFORCEMENT OPERATIONAL PROTOCOL**

The Senior Licensing Officer presented the report to the Committee, outlining the main points of the report.

RESOLVED:

That the Committee approved the Cross-Border Enforcement Operational Protocol and authorised Officers to take the necessary steps to finalise the Protocol.

That the Committee approved the delegation of the specified private hire licensing enforcement functions to North West Leicestershire District Council and East Staffordshire Borough Council in line with the above Protocol

That the Committee approved the reciprocal delegation of specified private hire licensing enforcement functions from North West Leicestershire District Council and East Staffordshire Borough Council in line with the above Protocol.

EDS/ **STRATEGIC HOUSING MARKET ASSESSMENT 2020**

The Planning Policy Team Leader presented the report to the Committee highlighting the main points of the report.

Councillor Singh enquired whether developers are aware of the criteria when building new homes to ensure they are future proofed for an aging population.

The Head of the Planning and Strategic Housing informed the Committee that it now industry standard to build adaptable homes and these changes well known within the industry.

RESOLVED:

That the Committee noted the content of the report together with the Strategic Housing Market Assessment (SHMA) 2020 Executive Summary as per Appendix 1 of the report.

That the Committee endorsed the SHMA 2020 to be used both as required by the adopted Local Plan and as a material consideration, to assist in the determination of planning applications.

That the Committee endorsed the production of a draft Affordable and Specialist Housing Supplementary Planning Document (SPD), to be brought to this Committee prior to public consultation.

EDS/

EAST MIDLANDS AIRPORT INFORMATION MEETINGS

The Head of Planning and Strategic Housing presented the report to the Committee, asking for an additional Member from each side to sit on this group alongside the Chairman and Vice-Chairman.

Councillor Richards asked that the political proportionality be looked at and confirmed before a Labour member is nominated. The Head of the Planning and Strategic Housing confirmed that this would be checked with the Monitoring Officer and the information shared with Members outside of this Committee.

RESOLVED:

That the Committee endorsed, subject to political proportionality being confirmed, that the Chair and Vice Chair of Environmental and Development Services Committee, an elected member to represent the wards most affected by activity at East Midlands Airport (EMA) and an elected member to represent the opposition party to attend meetings annually with representatives of EMA to discuss on-going matters of mutual interest.

EDS/

CONSULTATION ON DERBYSHIRE COUNTY COUNCIL'S DEVELOPER CONTRIBUTIONS PROTOCOL

The Planning Policy Team Leader presented the report to the Committee, outlining the key items of the report.

Members raised queries regarding the charges, and the need to ensure the Council does not lose sight of what is needed to be delivered to the District's residents. The Head of Planning and Strategic Housing informed Members that the apportionment of Section 106 funding will remain the decision of Planning Committee.

RESOLVED:

That in responding to the consultation on the draft Derbyshire County Council Developer Contributions Protocol the Committee:

- ***welcomed the expansion of topics included within the Protocol***
- ***recognised the introduction of the planning obligations and travel plan monitoring fees***
- ***recognised the changes in formula for generating education contributions.***

EDS/ **EREWASH BOROUGH COUNCIL 2020 CORE STRATEGY REVIEW**

The Planning Policy Officer (Sustainability) delivered the report to the Committee, outlining South Derbyshire District Council's concerns regarding the evidence presented and lack of information shared regarding the emerging local plan

The Leader confirmed that South Derbyshire District Council's response to this should come from himself and the Chief Executive.

RESOLVED:

That the Committee endorsed the content of the report and authorised its submission to Erewash Borough Council as this Council's response to its Growth Options Consultation

EDS/ **COMMITTEE WORK PROGRAMME**

The Strategic Director (Service Delivery) informed Committee that an updated work programme will be presented at the next Committee meeting.

RESOLVED:

The Committee considered and approved the current work programme.

EDS/ **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985****RESOLVED:-**

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 2A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER

COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

VISITOR INFORMATION REVIEW

The Committee approved the recommendations contained in the report.

STRUCTURE REVIEW ENVIRONMENTAL SERVICES

The Committee approved the recommendations contained in the report.

The meeting terminated at 7:10 pm.

COUNCILLOR MACPHERSON

CHAIRMAN

HOUSING AND COMMUNITY SERVICES COMMITTEE

12th March 2020

PRESENT:-

Conservative Group

Councillor Roberts (Chairman) and Councillors Atkin, Corbin, Churchill, Ford (substituting for Cllr Pegg) Mrs Haines, Dr Perry and Mrs Wheelton

Labour Group

Councillors Mrs Heath, Mulgrew, Rhind, Richards, and Shepherd

HCS/86 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Pegg

HCS/87 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest from Members of the Council had been received.

HCS/88 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

HCS/89 **QUESTIONS FROM MEMBERS OF COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

HCS/90 **APPROVAL OF PUBLIC OPEN SPACE PROTECTION ORDER – MAURICE LEA PARK AND MARKET STREET**

The Anti-Social Behaviour (ASB) Officer presented the report highlighting the positive feedback following the statutory consultation and requested that the Committee approves the implementation of the Public Open Space Protection Order at Maurice Lea Park

RESOLVED

That the Committee approved the recommendation to implement a three-year Public Space Protection Order (PSPO) for Maurice Lea Park and Market Street, Church Gresley following completion of the required formal consultation process

HCS/91 **SUBMISSION OF CONSULTATION RESPONSE TO MCHLG – FIRST HOMES**

The Strategic Housing Manager presented the report to the Committee informing Members that this will ensure that a percentage of new homes built will be offered at a minimum 30% reduction for local people and members of the Armed Forces

Councillor Rhind enquired whether there would be a limit to where these homes will be built. The Strategic Housing Manager informed the Committee that as part of the Section 106 any building project with over 15 units a percentage will be this new tenure.

RESOLVED

1.1 That the Committee approved the response, attached to the report, on behalf of the Council for submission to the Ministry of Housing, Communities and Local Government (MCHLG) by the 3rd April 2020.

1.2 That the Committee noted the content of the consultation response submission, the attached MCHLG guidance in First Homes as per Appendix 1 of the report, and associated implications of the introduction of First Homes within South Derbyshire.

HCS/92 **COMMITTEE WORK PROGRAMME**

RESOLVED:-

The Committee considered and approved the updated work programme.

HCS/93 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

**TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL
PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed that no questions had been received.

The Meeting terminated at 6.10 pm.

COUNCILLOR A ROBERTS

CHAIRMAN