

MINUTES OF THE JOINT MEETING BETWEEN SOUTH DERBYSHIRE DISTRICT
COUNCIL AND PARISH COUNCILS/MEETINGS

19th July 2006

PRESENT:

Representatives of South Derbyshire District Council

Councillor Whyman, M.B.E. (Chair).

Officers

Frank McArdle (Chief Executive), Ian Reid (Deputy Chief Executive), Mark Alflat (Director of Community Services), Jayne Jones (Director of Corporate Services), Gill Hague (Head of Planning Services), Peter McEvoy (Head of Environmental Services) and Debra Townsend (Democratic Services).

Representative of D.A.L.C

Brian Wood.

Representative of Derbyshire Fire Service

Station Manager Chris Smith.

Parish Council Representatives

C. Thurman (Hatton Parish Council), L. Brown (Flood Working Party Egginton Parish Council), D. Strain (Egginton Parish Council), R. Smith (Foston and Scropton Parish Council), R. Bell and D. Adams (Harshorne Parish Council), K. Bradford (Coton-in-the-Elms Parish Council), R. Statham (Woodville Parish Council), J. White (Overseal Parish Council), C. Peck (Aston-on-Trent Parish Council), N. Hill (Melbourne Parish Council), G. Taylor (Barrow upon Trent Parish Council), M. Ireland and B. Payton (Etwall Parish Council), J. Clifton and V. Shaw (Weston on Trent Parish Council), B. Cowley and C. Gerrard (Egginton Parish Council), T. Beresford (Foston and Scropton Parish Council), S. Bell (Findern Parish Council), H. Wheeler (Bretby Parish Council), R. Hill and F. Mitchell (Elvaston Parish Council), C. Barker (Barrow upon Trent Parish Council), B. Freeman (Melbourne Parish Council), K. Overton (Willington Parish Council), S. Green (Ticknall Parish Council), D. Buchanan (Newton Solney Parish Council), J. Storer (Burnaston Parish Council) and M. South (Smisby Parish Council).

APOLOGIES

Apologies for absence from the Meeting were received from Councillor Carroll, L. Kolkman, K. Fairbrother, I. Smith, R. Buxton and A. Luckhurst.

PC/27. **MINUTES**

The Minutes of the Meeting held on 26th April 2006 were received. It was noted that with regard to Minute No. PC/20, certain items as spoken by Councillor Whyman were not included. Councillor Whyman replied that the Minutes were not a verbatim report of a meeting. He did clarify, however that with regard to his comments on concurrent expenditure, the District Council would hope that there were no losers and only winners, although this

comment was without prejudice and was fully dependent on deliberations that would be forthcoming within the District Council. Councillor Whyman added that the District Council would ensure a 'lead-in' time of any new arrangements, which would be discussed and agreed with Parish Councils well in advance of implementation.

PC/28. **MATTERS ARISING**

With regard to Minute No. PC/20, M. South asked when would the copy of the Best Value Review of Concurrent Expenses be available. She also requested that Smisby Parish Council should have access to this document. The Director of Corporate Services responded that the consultancy exercise and review had been undertaken but there was more work to be completed and reassessed. The Chair clarified the point being asked and confirmed that additional investigation was to be completed. He added that it was important that the District Council had a fair and accurate report and its distribution would be delayed until it was felt that it was a fully informed document. M. South responded that she did not feel the Minutes of the last Meeting had accurately recorded this. The Director of Corporate Services confirmed that this had been explained at the last Meeting and was within Minute No. PC/20. She added that to ensure fairness and equitability, there would be further work completed followed by thorough consultation with all Parish Councils. S. Green confirmed that when working on the precept for 2007, Parishes should work on a status quo basis.

With regard to Minute No. PC/26, the Chief Executive confirmed that he had received a letter from the Chief Constable of Derbyshire Constabulary thanking the District Council for joining the campaign opposing the planned Police Force merger. Within this letter, it was confirmed that Derbyshire would not be merging with any other Force in the near future. Brian Wood also confirmed he had received the same letter, and thanked the Parish Councils for participating in this campaign.

The Chair passed on his congratulations to Melbourne Parish Council which had recently achieved Quality Council Status. He also added that Councillor Carroll wished her thanks to be recorded for the hard work completed by the Clerk of Melbourne Parish Council.

The Chair gave an update on the current position with regards to enmainment within the District Council. He confirmed that a Panel had been formed to allow the District Council to consider contracting back the responsibility for critical watercourses within the District. It had been considered, however, that concerns over financial implications, staffing, resources etc. prevented this and from April 2006, responsibility for critical watercourses would remain with the Environment Agency. The Chair confirmed that the District Council would endeavour to support the Environment Agency wherever possible.

PC/29. **FIRE SERVICE PRESENTATION**

Chris Smith, the Station Manager of Swadlincote Fire Station gave a presentation on the Fire and Rescue Service, including intervention, prevention and protection.

He advised the Meeting that a large part of the Fire Service's work involved working in the community which included:

- Home Fire Safety Checks
- School visits
- Fire safe counselling
- Various monthly initiatives.

It was confirmed that the Home Fire Safety Check was free of charge and available for all, although it was targeted at senior citizens and young families. The home fire safety check also included devising an escape plan in the event of a fire and also the supply and free fitting of smoke detectors. To book a free Home Fire Safety Check the number was confirmed as 01332 345440. Alternatively this could be arranged via the website www.derbyshire-fire.co.uk or by picking up a postcard from the Fire Station.

Chris Smith advised the Meeting that during August and September 2006 an electric blanket campaign was taking place. He confirmed that the Fire Service would test existing blankets and if found faulty, they would try to rectify them. If they were not repairable, members of the public would be given a voucher towards the cost of a new one. He confirmed that during a previous campaign, 44% of blankets tested were unsafe. All stations which covered South Derbyshire were carrying out blanket checks.

It was also confirmed that following new fire safety regulations affecting all non-domestic premises in England and Wales, which come into force on the 1st October 2006, guidance was available on 'making your premises safe from fire', including a risk assessment. This guidance could also be accessed via the Fire Service website.

It was asked if there was any further guidance available with regard to garden or barbecue safety, particularly during the hottest period of the year. Mr Smith confirmed that the main problems were caused by barbecues being lit using the wrong fluid.

The Deputy Chief Executive asked if Parish Councillors could act as "agents" to promote these services and it was confirmed that this would be useful. The Fire Service already worked with such sectors as home helps to enable them to target vulnerable people living alone.

A question was raised on Parish Clerks working from home, this being their place of work, and whether the new fire safety legislation would cover these residences. Brian Wood (D.A.L.C.) confirmed that he was currently waiting for guidance on this issue. Currently, equipment used by Parish Clerks in their home should be P.A.T. tested on a regular basis. He added that it was D.A.L.C.'s view that the Clerk's office at home was a public office and therefore should be covered by the legislation. The Director of Community Services also confirmed that the District Council would be considering the new legislation and advising Parishes of any further responsibility.

PC/30. **PUBLIC SPEAKING AT DEVELOPMENT CONTROL COMMITTEE**

The Head of Planning Services, Gill Hague advised the Meeting that public speaking had been considered by the District Council and, following the consultant's study being reported to the Environmental and Development

Services Committee, the Development Control Committee and the Standards Committee, it had been agreed by Full Council on 6th July to implement the scheme on a six months trial period. This would commence towards the end of September 2006.

She confirmed that a letter would be sent to all people who had previously written and expressed an opinion or interest in a particular planning application, advising when the application would be considered by the Committee. It was confirmed that one person would be allowed to speak against the proposal, and one in favour. This would be decided on a first-come first-served basis and three minutes would be allowed for each speaker. There would be no interaction between the speaker and the Development Control Committee Members. In addition, the Officer's presentation would be changed and plans would be displayed on a screen along with any additional photos, evidence etc. Following five months of the six months trial period, a report would be submitted to Members to consider any changes required prior to full implementation.

C. Barker expressed concern that Parish Councils would not be permitted to speak within this system in their own right. She asked if Parish Councils could indicate that they wanted to speak at the start of the process when they received the initial notification of the application. The Head of Planning Services anticipated that it would only be possible to register to speak from the date of publication of the agenda to 12 noon on the day of the Meeting. C. Barker responded that this may disadvantage Parish Councils, as their Meetings may fall outside of this timescale. The Head of Planning Services advised that Parish Councils' remarks were already contained in her report and Councillor Whyman confirmed that District Councillors could provide another opportunity to represent the Parish Council. C. Barker again confirmed that she was unhappy with the outcome as the original letter requesting public speaking at Development Control had been sent by Barrow-on-Trent Parish Council. Councillor Whyman reiterated that Parish Councils would not be given the opportunity to speak in their own right as they were already statutory consultees in the planning process and that the scheme would be reconsidered following the trial period.

C. Peck queried the justification for Parish Councils not being able to speak in their own right. The Head of Planning Services responded that this was not considered to be equitable as not all areas within South Derbyshire were covered by Parish Councils.

K. Overton asked how the District Council would deal with large proposals that created much public interest. Gill Hague reiterated that requests to speak would be dealt with on a first-come, first-served basis, and contact details would be passed on for all subsequent requests. She also confirmed that objections by emails are treated the same as letters. Details of the scheme when finalised would be publicised on the Council's website, together with the local media.

Councillor Whyman concluded by adding that although this was a very emotive subject, South Derbyshire District Council aimed to provide members of the public the opportunity to participate, and to promote inclusion.

PC/31. **AFFORDABLE RURAL HOUSING**

The Head of Environmental Services advised the Meeting that affordable rural housing had been identified as an area of concern. He added that the provision of rural housing was a key issue for the District Council. He identified that the accurate and reliable assessment of particular needs would give the ability to persuade investors within Central Government to allow properties to be built.

A three year rolling programme of consultation and evaluations had commenced to look at all rural parishes. The Head of Environmental Services continued to identify all parishes that had been consulted, and added that each completed parish had a report which included information such as the current cost of housing in comparison with other areas and current housing needs. Councillor Whyman confirmed that the aforementioned reports would be available shortly on the internet.

Councillor Whyman advised that affordable housing was not low cost housing. Affordable housing existed in perpetuity and could be either rented or shared ownership. The Head of Planning Services confirmed that she would distribute a report defining the difference between affordable and low cost housing with the Minutes of this Meeting.

C. Barker queried the return rate of the original forms from which the information for the reports was gathered. The Head of Environmental Services confirmed that although he did not know exact return rates, in most cases statistical significance had been achieved. Where this was not possible, parishes had been amalgamated. He agreed to make available out Barrow-on-Trent's report. The Head of Planning Services confirmed that the number of properties required would be informed by need, and the Council would react to any identified need. She also added that even if a village was not considered sustainable, affordable housing could still be built, as this was one exception when the need was identified.

K. Bradford reported that Coton-in-the-Elms had seen their report but had identified factual errors. She was also concerned that respondents seemed to be "newcomers" with specific requirements. Councillor Whyman advised that any errors where highlighted would be corrected.

S. Bell asked why the Council housing waiting list had doubled over recent years. The Head of Environmental Services responded by confirming that applications had doubled, and the number of properties were reducing due to the right to buy. The Chair confirmed that there were currently 2,000 people on the housing waiting list, with only an approximate turnover of 350 per year.

T. Beresford reported that having seen his Parish's report, 50 additional properties had been consulted than existed. He highlighted his suspicion over the integrity of the report. The Head of Environmental Services confirmed that he had followed Government guidelines for analysing statistics.

The Deputy Chief Executive agreed that results of all data should be shared with all Parish Councils. Councillor Whyman confirmed that the process

would be examined and any further feedback/consultation would take place with the parishes in question.

Brian Wood asked that all correspondence for Parish Councils should be sent to the Clerk, not the Chair.

PC/32. **CORPORATE PLAN**

The Deputy Chief Executive distributed a leaflet entitled “Summary of Corporate Plan”, which identified the District Council’s priorities and advised that further consultation would take place in future months. Councillor Whyman added that the Corporate Plan had been developed by consultation, and would continue on the basis of consultation.

PC/33. **BEST VALUE PERFORMANCE PLAN**

The Deputy Chief Executive advised the Meeting that unfortunately, he could not yet distribute the current Plan, but this would be available within the next week. He added that the Plan identified significant improvement in performance within the Council, plus significant improvement in performance relative to other Councils. He added that South Derbyshire District Council aimed to be “excellent” by the end of the planned period. A short summary would also be distributed in the future.

PC/34. **LOCAL STRATEGIC PARTNERSHIP**

The Deputy Chief Executive advised the Meeting that the Local Strategic Partnership Forum would take place on the 27th July, and advised that representatives were very welcome.

PC/35. **ECONOMIC REGENERATION STRATEGY**

The Deputy Chief Executive confirmed that there were a number of seminars taking place regarding development of the Council’s Economic Regeneration Strategy. The next workshop was due to take place on 13th September 2006. The consultation process had already identified particular skills issues within the District, including a lack of basic and trade skills. The second major issue to be identified in the region was transport, including road infrastructure.

PC/36. **RISK ASSESSMENT – PARISH COUNCILS**

B. Wood (D.A.L.C.) introduced this item and commenced by passing on his congratulations to Celia Bunston, Clerk of Repton and Ticknall who had recently passed her C.L.C.A. examinations.

Mr. Wood continued by advising the Meeting of the importance of Risk Assessment. He added that this had been proved to reduce accidents and was a requirement for Parish Council Audit.

He added that there were many objectives which were as follows:-

- (1) To identify significant areas/work activities for assessment.
- (2) To produce completed Risk Assessments on selected and agreed risks.

- (3) To provide Council staff who were trained to act as a 'competent person' and to provide and complete further Risk Assessments.
- (4) To provide the Clerk with an action document as an information source for each area/work activity to comply with modern legislation and good practice.

Steps in completing Risk Assessments were also identified as follows:-

- Step 1. Identify the hazards.
- Step 2. Decide who might be harmed.
- Step 3. Evaluate the risk.
- Step 4. Record the significant findings.
- Step 5. Review and monitor.

Mr. Wood advised the Meeting that D.A.L.C. Members could receive any additional information directly from himself.

PC/37. **QUESTION TIME AND SUGGESTIONS FOR FUTURE DISCUSSION ITEMS**

It was commented that the agenda for this particular Meeting was too long and in future, there should be less items.

A representative of Hatton Parish Council asked if any news had been received on the progress on improvements to the playing field. Councillor Whyman advised that this was currently being pursued and he was awaiting a response.

B. Cowley asked that appreciation and thanks be passed to the operator of the mechanical sweeper in the area who continued to work thoroughly and diligently.

Councillor Whyman reported that the fluvial study for the area was likely to be published in September 2006 and following this, all attempts would be made to ensure that any concerns would be addressed by the provision of adequate amount of funding.

C. Barker commented that it was very useful to have Brian Wood (D.A.L.C.) present at the Meeting.

B. WHYMAN, M.B.E.

CHAIR

The Meeting terminated at 9.00 p.m.