

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way,
Swadlincote on 15th August 2002
at 6.00 p.m.

PRESENT:-

Labour Group

Councillor Mrs. Mead (Chair) and Councillors Bambrick, Bell, Brooks, Dunn, Evens, Lauro, Pabla, Richards, Rose, Mrs. Rose, Routledge, Shepherd, Sherratt, Southerd, Southern, Stone, Taylor, Whyman and Wilkins.

Conservative Group

Councillor Bale (Vice-Chair) and Councillors Bladen, Harrison, Hood, Lemmon, Mrs. Robbins, Shaw and Mrs. Walton.

CL/47. **COUNCILLOR J.T. FORD**

The Chair referred to the death of Councillor Ford on 7th August 2002 and Members stood in silence as a mark of respect. Several Members together with the Chief Executive then paid tribute to the work of Councillor Ford since his election as a District Councillor in May 1983.

CL/48. **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Carroll and Harrington (Labour Group) and Councillors Douglas and Mrs. Wheeler (Conservative Group).

CL/49. **MINUTES**

The Open Minutes of the Meeting of the Council held on 4th July 2002 (Minutes Nos. CL/36 - CL/44) were taken as read, approved as a true record and signed by the Chair.

With regard to Minute No. CL/37 in connection with the East Midlands Ambulance Service, Councillor Harrison outlined the contents of a response received from the Ambulance Service and Councillor Hood reiterated his gratitude to all those who had assisted during his illness at the Civic Service.

With regard to Minute No. CL/39 concerning the Compost Scheme, Councillor Harrison advised that he had not yet received any responses to the issues raised at the last Meeting but he had recently received presentation material, the content of which he considered to be excellent and informative. However, he expressed concern at the colour scheme in the document, which presented difficulty in reading some sections. Councillor Southerd advised that he would arrange for appropriate responses to be submitted to Councillor Harrison if any issues were still outstanding.

CL/50. **CHAIR'S COMMUNICATIONS**

The Chair advised of forthcoming charity events, including a parachute jump for which a sponsorship sheet was in circulation, a fashion and beauty night at Bretby Conference Centre on 25th October 2002 and a 40's Night at Gresley Old Hall on 8th November 2002. It was reported that Councillor Bell had raised the sum of £150 from the sponsored run reported to the last Council Meeting.

The Chair presented a past Consort's Badge to Councillor Mrs. Rose for 2001/02 and a badge had also been provided for Mrs. C. Gillespie for 2000/01, who was unable to attend the Meeting. It was noted that these badges had been sacrificed previously as part of the budget reductions following the financial crisis in 1999/2000.

CL/51. **LEADER'S ANNOUNCEMENT**

The Leader referred to correspondence received in connection with Merchant Navy Day on 3rd September. The Council had been requested to consider flying a flag on this day in perpetuity in commemoration of the 36,000 seamen who gave their lives during the 1939-1945 war. This course of action was agreed accordingly.

CL/52. **REPORTS OF COMMITTEES****RESOLVED:-**

That the Open reports of the following Committees be received and noted and any recommendations contained therein be approved and adopted, subject to any matters annotated:-

Development Control Committee, 9th July 2002 (Minutes Nos. DC/26 - DC/37)

Community Services Committee (Special), 10th July 2002 (Minutes Nos. CS/14 - CS/18)

Environmental Services Committee, 11th July 2002 (Minutes Nos. ES/15 - ES/25)

(Minute No. ES/23, Collections from the Council's Recycling Centres – A Member requested this matter to be progressed as quickly as possible and the Chair of the Committee advised that any proposed losses in the facility would be determined by the Committee in any event).

Community Services Committee, 18th July 2002 (Minutes Nos. CS/19 - CS/31)

Finance and Management Committee, 25th July 2002 (Minutes Nos. FM/14 - FM/23)

(Minute No. FM/15, Disability Grants – In response to a query from a Member, the Head of Community Services advised that discussions would be held with Social Services regarding the possibility of a combined adaptation service.

Minute No. FM/18, Capital Resources – Councillor Harrison confirmed that he had received a detailed breakdown of usable capital receipts following the Meeting and suggested that this information should also be forwarded to all Members of the Committee. The Chief Finance Officer agreed to undertake this accordingly.

Minute No. FM/20, Capital Strategy – As this matter was part of the Council's defined policy framework (Article 4.01), the adoption of the strategy required the Council's approval, which was agreed accordingly).

Community Scrutiny Committee, 29th July 2002 (Minutes Nos. CYS/10 - CYS/15)

Development Control Committee, 30th July 2002 (Minutes Nos. DC/39 - DC/44)

Corporate Scrutiny Committee, 5th August 2002 (Minutes Nos. COS/11 - COS/16)

Overview Committee, 12th August 2002 (Minutes Nos. OV/11 - OV/16)

Area Meetings

Repton, 23rd July 2002 (Minutes Nos. RA/1 – RA/6)

Etwall, 24th July 2002 (Minutes Nos. EA/1 – EA/8)

(Minute No. EA/5, Verge maintenance – Councillor Mrs. Walton expressed her gratitude following maintenance undertaken to the verges since the Area Meeting.

Minute No. EA/5, Ragwort – Councillor Mrs. Robbins advised of the County Council's policy on clearing ragwort from highway verges at the request of adjacent owners and it was acknowledged that this weed created a problem across the District. It was agreed to issue a press release encouraging landowners to remove the weed or contact the County Council accordingly.)

Melbourne, 31st July 2002 (Minutes Nos. MA/1 – MA/10)

(Minute No. MA/6, Verge Maintenance in Yates Avenue, Aston-on-Trent – Councillor Brooks expressed his gratitude following maintenance undertaken immediately after the Area Meeting).

Linton, 1st August 2002 (Minutes Nos. LA/1 – LA/7)

Swadlincote, 6th August 2002 (Minutes Nos. SA/1 - SA/11)

(Minute No. SA/6, Gopeds – It was reiterated that following case law, these scooters were now classed as motor vehicles and required appropriate licensing. The local Inspector had agreed to publicise this accordingly).

Newhall, 7th August 2002 (Minutes Nos. NA/1 – NA/8)

CL/53. NOTICE OF MOTION

In accordance with Council Procedure Rule No. 12, it was reported that Councillor Whyman had given notice of the following motion:-

“That the following amendments be made to the Council's constitution with effect from the next Council Meeting on 26th September 2002:-

- (1) The Environmental Services Committee be renamed as the Development and Environmental Services Committee.

- (2) The Community Services Committee be renamed as the Housing and Community Services Committee.
- (3) The following functions be transferred to the responsibility of the Housing and Community Services Committee:-
 - (a) The provision of welfare funerals and exhumations.
 - (b) The provision and management of short-stay gypsy sites.
 - (c) The control of unauthorised camping by travellers.”

Councillor Whyman proposed the Motion, which was duly seconded. It was debated and, on a vote, it was,

RESOLVED:-

That the Motion be carried.

CL/54. **SEALING OF DOCUMENTS**

RESOLVED:-

That the Sealed Documents listed at Annexe SMB1 to the Signed Minute Book, which have no specific authority, be duly authorised.

(Councillor Mrs. Robbins left the Meeting at 7.05 p.m.)

CL/55. **2002 HOUSING INVESTMENT PROGRAMME – HOUSING STRATEGY AND HOUSING REVENUE ACCOUNT BUSINESS PLAN**

It was reported that at its Meeting held on 10th July 2002, the Community Services Committee had considered draft versions of the 2002 Housing Strategy and Housing Revenue Account Business Plan. Members considered the final documents, which had been submitted to the Government Office for the East Midlands by the deadline of 31st July 2002 with a comment that both documents required final endorsement by the Council at this Meeting and as such, may be subject to some amendment.

The Housing Strategy set out the Council's work and approach to delivering its strategic housing role. The action plan would be monitored through the Housing Strategy and Planning Group and key tasks would be incorporated into the Service Plans for the Housing and Environmental Health Division with progress being reported to Members through the Council's performance management framework.

The Housing Revenue Account Business Plan considered the significant challenges that the Council faced in improving the quality of its housing service delivery to meet the expectations of tenants and external scrutiny. The headline results from the Council's stock condition survey had now been included in the Business Plan. The plan indicated that the Council's financial position was healthy, with a positive operating account over the period of the plan whilst funding the significant investment required for properties. Chapter 6 considered detailed financial information. The income and expenditure account had been prepared in accordance with the

Government's rules and reflected the activity of managing and maintaining the Council's housing stock.

The base model indicated that the account remained in surplus for the thirty year period. However, small changes to the key base assumptions could have a significant impact on the overall finances of the Housing Revenue Account. As part of future work in developing the Business Plan, work would be undertaken to understand the key environmental factors influencing assumptions and, where possible, to introduce management arrangements to safeguard the Council's position. Based on the current assumptions, the Council was able to achieve an operating surplus whilst funding the significant investment needed to achieve the decency standard. Nevertheless, small changes in the assumptions could damage this position, such as an increase in the rate of Right to Buy sales. It was also important to recognise that the current projections did not provide any additional resources for the management and improvement of the existing housing service. The plan did not consider in depth the resources required by the Council to focus on its strategic housing role. This role was much wider than the management of Council houses and considered the steps which the Council must take to enable the provision of good quality housing in the private and public sectors. The plan indicated that it was possible for the Council to manage and deliver homes which met the decent homes standard within likely resources. This would require strong leadership, high quality management and effective service delivery. The plan considered many of the challenges that the Council faced in achieving this and the action plan detailed the key tasks ahead. To meet these challenges, the Council would need to be very focused on prioritising staff and financial resources towards key improvement areas and meeting government targets such as decent homes and re-let times.

The action plan would be monitored through the Housing Revenue Account Business Plan Group and key tasks would be incorporated in the Service Plan for the Housing Health Division with progress being reported to Members through the Council's performance management framework.

The Chair of the Community Services Committee expressed his gratitude to the Head of Community Services, all staff, representatives of TACT and Pennington Consultants for their work towards this Strategy. The Head of Community Services advised that a presentation would be arranged for Members when final figures were available.

RESOLVED:-

That the 2002 Housing Investment Programme submission be approved.

CL/56. **INVEST TO SAVE BID – APPOINTMENT OF CONSULTANTS**

Members were reminded of the success that the Council had achieved in gaining Invest to Save resources in partnership with four other authorities across Derbyshire. The funding would enable Councils to replace their revenues and benefits computer systems and would also help them to work together more closely to provide claimants across these districts with an improved service. Good progress had been made in the implementation of the project plan and tenders were due to be received before the date of this

bid. The focus would now be on the evaluation of the tenders and managing the implementation of this significant project. Partner Councils had recognised that external expertise would be required for both of these tasks and accordingly, this was provided for in the original bid.

Unfortunately, the Office of the Deputy Prime Minister (ODPM) had still to make the necessary arrangements for payment of invest to save monies. This was beyond the control of partner councils. However, any further delay in progressing the project would jeopardise the partners' ability to draw down the Invest to Save grant and equally to implement any new system in time to respond to new legislative changes. Accordingly, the Joint Committee had asked all partners to contribute towards the cost of appointing consultants estimated in the sum of approximately £50,000 across the partnership. With the exception of one partner, all other partners were committed to this contribution, which would be eligible for grant aid of 75% when final payment/confirmation had been received from the ODPM.

The share of the cost for this Council was up to £12,500 and upon final approval, this cost would be offset by grant and this Council's share would be reduced to £2,500. It was proposed that in the first instance, the contribution be made from the Council's IT reserve rather than impinging on day to day budgets.

RESOLVED:-

That a contribution of up to £12,500 towards the cost of appointing consultants under the Invest to Save bid for revenues and benefits be approved.

CL/57. **REPRESENTATION ON OUTSIDE BODIES**

(a) Derby Multi-Agency Racial Harassment Liaison Group

Members were reminded that representation by the Council on this Group was still required.

RESOLVED:-

That Councillors Shepherd and Taylor be appointed as the Council's representatives on this Liaison Group.

(b) Repton Primary School

Members were reminded that representation by the Council on this Governing Body was still required.

RESOLVED:-

That the Council's representative on the Governing Body of this school be advised in due course.

CL/58. **YOUR REGION, YOUR CHOICE – WHITE PAPER**

It was reported that the Council's comments had been requested on the White Paper entitled "Your Region, Your Choice: Revitalising the English

Regions” which was published on 9th May 2002. Comments to the Office of the Deputy Prime Minister had been requested by 31st August 2002.

The White Paper was intended to progress the Government’s Manifesto commitment on elected regional government. It set out the government’s vision for prosperous and thriving English Regions, including proposals for elected assemblies in those regions where people wished to have them. The report highlighted the key messages on a chapter by chapter basis in the White Paper. Chapter 1 focused on the regional dimension. Chapter 2 set out the actions of the Government since 1997 to develop the English regions and strengthen the mechanisms for regional governance. The Government intended to continue this process of decentralisation, strengthening both the Regional Chambers and the Government Offices to improve the co-ordination of regional strategies and enhance the quality of regional decision-making. Chapter 3 set out the Government’s vision for regional democracy and these proposals would build on the experience of devolution to Scotland, Wales and Northern Ireland and of governance arrangements in London. According to the White Paper, the next step in the programme of constitutional change was to give people the opportunity to choose whether they wanted to have an elected assembly for their region. The Government believed that elected regional assemblies could make a real difference in the regions. Chapter 4 detailed the functions of elected regional assemblies and Chapter 5 set out the Government’s plans for funding elected regional assemblies. Chapter 6 discussed the boundaries and electoral system for regional assemblies whilst Chapter 7 discussed the proposed constitution of elected assemblies. The Government wanted assemblies to be democratic, inclusive and representative, small and streamlined, effective and efficient and clear about the responsibilities between their different functions. It therefore proposed to set out in legislation the basic framework that would apply to all assemblies but to do so in a way that allowed scope for variations between regions. Chapter 8 detailed the government’s plans for achieving effective working relationships between regional assemblies and central government, local authorities, partners organisations at all levels and regions without elected assemblies. Chapter 9 explained how and when the proposals would be implemented. In terms of local government reorganisation, the government considered that there were good arguments for establishing regional assemblies in a way that did not add an extra tier of government. The expected procedure for establishing an elected regional assembly was illustrated for Members.

Members considered the responses of East Midlands Regional Assembly and Derbyshire County Council. The comments of the East Midlands Regional Local Government Association’s Executive Committee were also circulated at the Meeting, which had proposed a number of additional comments to Section 5 of the position paper of the Regional Assembly Steering Group.

RESOLVED:-

That the comments of the East Midlands Regional Assembly together with the additional comments of the East Midlands Regional Local Government Association’s Executive Committee be supported by this Council in response to the White Paper.

CL/59. **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.

MINUTES

The Exempt Minutes of the Meeting of the Council held on 4th July 2002 were duly received and approved.

REPORTS OF COMMITTEES

The Exempt reports of the following Committees were received and noted and any recommendations contained therein approved and adopted:-

Development Control Committee, 9th July 2002

Environmental Services Committee, 11th July 2002

Community Services Committee, 18th July 2002

Finance and Management Committee, 25th July 2002

COUNCIL UNIX SERVER (Paragraph 8)

The Council authorised the extension of an existing agreement for computer hardware.

MRS. J. MEAD

CHAIR