

Date: 8th May 2019

Dear Councillor,

Council

YOU ARE HEREBY SUMMONED to attend the Meeting of the **Council** to be held in the **Council Chamber**, on **Thursday, 16 May 2019** at **18:00** to transact the business set out on the attached agenda.

Yours faithfully,



Chief Executive

To:- **Conservative Group**

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

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 report the election of the following Members at the Elections held on 2nd May 2019:-
 - Aston Ward: Neil Atkin, Daniel Corbin, Peter Watson
 - Church Gresley Ward: Jane Perry, Gordan Rhind, Trevor Southerd
 - Etwall Ward: Lisa Brown, David Muller
 - Hatton Ward: Andrew Roberts
 - Hilton Ward: Andrew Billings, Julie Patten, Jason Whittenham
 - Linton Ward: Melanie Bridgen, Daniel Pegg
 - Melbourne Ward: Martin Fitzpatrick, James Hewlett
 - Midway Ward: David Angliss, Paul Dunn, Robert Pearson
 - Newhall and Stanton Ward: Sean Bambrick, Kevin Richards, Linda Stuart
 - Repton Ward: Andrew Churchill, Kerry Haines
 - Seales Ward: Andrew Brady, Amy Wheelton
 - Stenson Ward: David Shepherd, Lakhvinder Pal Singh
 - Swadlincote Ward: Nora Yvonne Heath, Mick Mulgrew, Neil Tilley
 - Willington and Findern Ward: Martyn Ford, Andrew MacPherson

-Woodville Ward: Michael Dawson, Malcolm Gee, Steve Taylor

- 3** To confirm the Open Minutes of the Meeting of the Council held on 11th April 2019 (Minute Nos. CL/142-CL/159).
Council 11th April 2019 Open Minutes **6 - 11**
- 4** To receive any declarations of interest arising from any items on the Agenda
- 5** To appoint the Leader of the Council for the ensuing year.
- 6** To appoint the Deputy Leader of the Council for the ensuing year.
- 7** To receive any announcements from the Chairman, Leader and Head of Paid Service.
- 8** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 9** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 10** To consider any Notices of Motion in order of which they have been received.
- 11** ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2018/2019 **12 - 21**
- 12** ADDITION TO THE COUNCIL'S LIST OF OUTSIDE BODIES **22 - 23**
- 13** CYCLE OF MEETINGS 2019-20 **24 - 26**
- 14** TEMPORARY APPOINTMENT OF DISTRICT COUNCILLORS TO PARISH COUNCILS **27 - 29**
- 15** To receive and consider the Open Minutes of the following Committees:-

Licensing and Appeals Sub Committee 9th April 2019 Open Minutes **30 - 31**

	Environmental and Development Services Committee 17th April 2019 Open Minutes	32 - 36
	Housing and Community Services Committee 23rd April 2019 Open Minutes	37 - 39
	Licensing and Appeals Sub Committee 24th April 2019 Open Minutes	40 - 41
16	POLITICAL PROPORTIONALITY	42 - 44
17	To appoint Members to serve on Committees and Sub-Committees for the ensuing year (including Chairmen and Vice-Chairmen), in accordance with the allocation of seats to Groups and to appoint Members to Working Panels.	
18	To appoint the Substitute Panels.	
19	To appoint or submit nominations for representatives to serve on Outside Bodies.	
20	To appoint Member Champions.	
21	To appoint the Chairmen of the following Area Forums:-	
	Etwell Area Forum	
	Linton Area Forum	
	Melbourne Area Forum	
	Newhall Area Forum	
	Repton Area Forum	
	Swadlincote Area Forum	

Exclusion of the Public and Press:

- 22** 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.

- 23** To confirm the Exempt Minutes of the Meeting of the Council held on 11th April 2019 (Minute Nos. CL/160-CL/163).

Council 11th April 2019 Exempt Minutes

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

- 25** To receive and consider the Exempt Minutes of the following Committees:-

Licensing and Appeals Sub Committee 9th April 2019 Exempt Minutes

Environmental and Development Services Committee 17th April 2019 Exempt Minutes

Housing and Community Services Committee 23rd April 2019 Exempt Minutes

Licensing and Appeals Sub Committee 24th April 2019 Exempt Minutes

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Thursday, 11th April 2019
at 6.00pm

PRESENT:-

Conservative Group

Councillor Stanton (Chairman), Councillor Muller (Vice-Chairman) and Councillors Atkin, Billings, Mrs Brown, Ford, Grant, Harrison, Hewlett, Mrs Patten, Pegg, Roberts, Swann, Watson and Wyatt

Labour Group

Councillors Bambrick, Dunn, Rhind, Richards, Dr Pearson, Shepherd, Southerd, Mrs Stuart, and Wilkins

CL/142 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Mrs Coe, Mrs Hall, MacPherson and Smith (Conservative Group), Councillor Chahal and Tilley, (Labour Group) and Councillors Coe and Tipping (Independent Non-Grouped Members).

CL/143 **MINUTES OF COUNCIL**

The Open Minutes of the Council Meeting (CL/119-CL/138) held on the 27th February 2019 were approved as a true record.

CL/144 **DECLARATIONS OF INTEREST**

Council was informed that no declarations of interest had been received.

Councillor Roberts joined the Meeting at 6.05pm.

CL/145 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council outlined a summary of events attended since the last Council Meeting; including the Pancake Races which took place on the Delph, noting the success of the event; attendance at Burton and South Derbyshire College to bid farewell to a group of Japanese exchange students who had been hosted by local families; signing the Armed Forces Covenant with representatives from the Armed Forces, Derby City and Derbyshire County Council at a ceremony at Matlock; and observing the 1211 (Swadlincote & District) Squadron Air Training Corps exercising their awarded Freedom of the District. The Chairman expressed appreciation and congratulated the Squadron on the success of the event.

CL/146 **ANNOUNCEMENTS FROM THE LEADER**

The Leader congratulated the Chairman on his service to the Council during his time as Chairman. The Leader reflected on the past four years, paying respects to the Members who had passed away during this time and the Members who were not standing for re-election in the upcoming District Election.

The Leader noted key achievements, including the creation of the Local Plan 1 and 2, decrease in unemployment rates through regeneration and economic growth, the development of the Country Park Golf Course and Civic Centre, joining the Waste Less, Save More Scheme and maintaining low council tax and ensuring sound finances.

The Leader extended his best wishes to all Members who were standing for re-election and expressed his gratitude to those who were leaving.

CL/147 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Chief Executive thanked Councillors on behalf of staff and himself for working with and for the Council.

The Chief Executive advised that upon the request of the Strategic Director (Corporate Services) Members be reminded to respond in relation to their Annual Declaration. The Chief Executive advised Council the Deputy Returning Officer would be administering all matters in relation to the District Election. The Chief Executive further advised all Chief Executives and Returning Officers had been notified to make arrangements for the European Election on 23rd May. Additionally, the Chief Executive notified Council the new staff structure of the Heads of Services will be made available shortly, which included a photo of each Head of Service.

The Leader of the Opposition wished all Members who were retiring all the best, specifically Councillor Wilkins, who was retiring after 30 years of being an Elected Member, noting that his words of wisdom would be greatly missed and his achievements, such as Chairman of the Council and Leader of the Council, assisted in making improvements throughout the District.

Councillor Wilkins thanked his colleagues both past and present and thanked Council staff for their hard work.

CL/148 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council were informed that no questions had been received.

CL/149 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council were informed that no questions had been received.

CL/150 **SEALED DOCUMENTS**

<u>Date</u>	<u>No. of Seal</u>	<u>Nature of Document</u>
11.01.19	12184	Transfer – 147 Chestnut Avenue, Midway
07.02.19	12199	Transfer – 63 Repton Road, Hartshorne
28.02.19	12209	Transfer – 32 George Street, Church Gresley
21.03.19	12217	Transfer – 43 South Drive, Newhall
21.03.19	12219	Transfer – 5 Vale Road, Hartshorne

RESOLVED:

That the Sealed Documents listed, for which there is no specific authority, be duly authorised.

CL/151 **PAY POLICY STATEMENT 2019/20**

The Strategic Director (Corporate Resources) presented the report to Council, advising the report outlined how the rates of pay were calculated and showed the relationship between the lowest and highest paid member of staff.

RESOLVED:

1.1 Council approved the Pay Policy Statement for the financial year 2019/2020 for publication.

CL/152 **ADDITION TO THE COUNCIL'S LIST OF OUTSIDE BODIES**

The Strategic Director (Service Delivery) presented the report to Council; advising Members the creation of the new organisation was the result of the Council joining the Central Building Control Partnership.

Councillor Ford proposed a motion to defer the Item until after the District Election, which was carried by the Council.

RESOLVED:

Council approved to defer the item to Annual Council on 16th May 2019.

CL/153 **CYCLE OF MEETINGS 2019/20**

Councillor Watson requested consideration be given to the date of the Council Meeting to be held on 16th April 2020 so that it did not coincide with the Easter Holidays.

Councillor Richards queried if the Civic Council meeting scheduled for 23rd May 2019 at the Town Hall would be impacted by the European Election as the Town Hall was traditionally used a polling station. The Chief Executive informed Council the Civic Council meeting would be taking place as normal and an alternative polling station would be set up at the Civic Offices.

RESOLVED:

Council approved the cycle of Meetings for 2019/20.CL/154 **OPEN MINUTES**

Council received and considered the open minutes of its Committees.

RESOLVED:-

That the open minutes of the following Committees and Area Forum meetings were approved as a true record:-

<u>Committee</u>	<u>Date</u>	<u>Minutes No's</u>
Etwall JMC	09.01.19	EL/8-EL/13
Environmental and Development Services	24.01.19	EDS/80-EDS/89
Overview and Scrutiny	13.02.19	OS/49-OS/56
Finance and Management	14.02.19	FM/126–FM/139
Planning	26.02.19	PL/151-PL/160
Environmental and Development Services	28.02.19	EDS/93-EDS/105

Councillor Richards made reference to Minute No.EDS/103 and queried if there was a contingency plan in place in light of the recent announcement in relation to the waste contract. The Strategic Director (Service Delivery) responded to the query, noting they are aware of the announcement and a response had been received from Derbyshire County Council, which concluded the matter was being addressed and provisions had been made.

Councillor Taylor made reference to Minute No. EDS/101 and noted his comments were in reference to the funding gap in relation to the regeneration route. Tollgate island had a significant impact due to the amount of traffic and the funding gap was a disappointment for local residents.

The Chief Executive informed Council £6.4 million had been secured to reinvest in the regeneration route and any variation to the policy would be brought to Members' attention.

Housing and Community Services	07.03.19	HCS/88-HCS/99
Finance and Management	14.03.19	FM/147-FM/160
Planning	19.03.19	PL/163-PL/174
Overview and Scrutiny	27.03.19	OS/57-OS/65

Area Forum

Newhall	22.01.19	NA/8-NA/14
Repton	23.01.19	RA/15-RA/21
Etwall	29.01.19	EA/8-EA/14
Linton	30.01.19	LA/15-LA/20
Swadlincote	06.02.19	SA/15-SA/21
Melbourne	12.02.19	MA/15-MA/21

CL/155 **THE COMPOSITION OF COMMITTEES, SUB-COMMITTEES & WORKING PANELS FOR THE REMAINDER OF THE MUNICIPAL YEAR**

RESOLVED:

Council were informed that no amendments were to be made.

CL/156 **COMPOSITION OF SUBSTITUTE PANELS**

RESOLVED:

Council were informed that no amendments were to be made.

CL/157 **REPRESENTATION ON OUTSIDE BODIES**

RESOLVED:

Council were informed that no amendments were to be made.

CL/158 **MEMBER CHAMPIONS**

RESOLVED:

Council were informed that no amendments were to be made.

CL/159 **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 MINUTES OF THE COUNCIL

The Exempt Minutes of the Council Meeting held on 27th February 2019 (CL/139-CL/141) were approved as a true record.

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

Council was informed that no questions had been received.

LAND TRANSFER TO WESTERN POWER DISTRIBUTION

Council approved the recommendation detailed in the Report.

EXEMPT MINUTES

Council received and considered the Exempt Minutes of its committees.

RESOLVED:-

That the Exempt Minutes of the following Committees be approved as a true record:-

Environmental and Development Services	24.01.19	EDS/90-EDS/92
Finance and Management	14.02.19	FM/140–FM/146
Planning	26.02.19	PL/161-PL/162
Finance and Management	14.03.19	FM/161- FM/166

The meeting terminated at 6.50pm.

COUNCILLOR M STANTON

CHAIRMAN OF THE DISTRICT COUNCIL

REPORT TO:	ANNUAL COUNCIL	AGENDA ITEM: 11
DATE OF MEETING:	16th MAY 2019	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 59 5848/5722 democraticservices@southderbyshire.gov.uk	DOC:
SUBJECT:	ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2018/19	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: N/A

1.0 Recommendation

1.1 That Council receives the Annual Report of the Overview and Scrutiny Committee for 2018/19.

2.0 Purpose of Report

2.1 To submit the Annual Report of the Overview and Scrutiny Committee for 2018/19.

3.0 Detail

3.1 A copy of the Overview and Scrutiny Committee's Annual Report for 2018/19 is attached at Annexe A.

4.0 Financial / Corporate / Community Implications

4.1 None.

5.0 Background Papers

5.1 Annual Report 2018/19.

Overview and Scrutiny Committee Annual Report 2018-2019

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Acknowledgements

I am pleased to present this year's Overview and Scrutiny Annual Report, which contains information about the Committee's activity over the past year.

It has been a demanding year for the Council which continues to face challenges in delivering services to the residents of South Derbyshire. The Overview and Scrutiny Committee has been tasked with analysing and monitoring services in order to provide constructive feedback to increase efficiency as well as, where possible, reduce costs.

This Annual Report demonstrates the wide range of issues that have been considered within the scrutiny process and providing committee members the opportunity to select areas to review. It has also been noted that the Overview and Scrutiny Committee's interest in a number of work programme areas has inspired action aimed at improving key services elsewhere in the Council's democratic structure, e.g. waste collection and street scene, which can only be a positive move for the benefit of local residents.

The Overview and Scrutiny Committee recognises and appreciates the valuable contributions that Elected Members, Officers and representatives of organisations have made towards its work, and acknowledges that without this support and co-operation, it could not fulfil its aim to improve services for the benefit of South Derbyshire residents.

Councillor Stuart Swann
Chairman of the Overview & Scrutiny Committee

1. Background

1.1 Purpose of the Report

This is the Annual Report to Council from Overview and Scrutiny, as required by Article 6 of the Council's Constitution.

Overview and Scrutiny plays an important part in local government decision-making and is a principal way of achieving open, democratic accountability for the provision of public services. The aim of Overview and Scrutiny is to improve public services and quality of life for local residents. Its main value is in holding the Council and other service providers to account, monitoring performance and in its capacity to inform and influence the actions of the Council and its partners. Overview and Scrutiny is a legal requirement, introduced by the Local Government Act 2000, extended in later legislation, and consolidated in the Localism Act of 2011. Overview and Scrutiny allows Councillors to examine, question and evaluate various functions of the Council and other providers of public services on behalf of the public in an open and effective way.

The report outlines how the Overview and Scrutiny Committee has discharged its functions during the municipal year 2018/19 and details the current position and outcomes of its activities.

1.2 Composition of Overview and Scrutiny Committee

The Committee consists of eight Members; five Members of the Conservative Group and three Members of the Labour Group, in accordance with the political balance of the Council.

For the period of May 2018 to May 2019, the following Members were appointed to the Committee:

Conservative Group

Councillor Swann (Chairman), Councillor Wyatt (Vice-Chairman), Councillor Atkin, Councillor Murray and Councillor Mrs Patten

Labour Group

Councillor Bambrick, Councillor Dr Pearson and Councillor Mrs Stuart

1.3 Main Purposes of Overview and Scrutiny Committee

The main purposes of the Committee are as follows:-

- (a) Write reports and/or make recommendations to Council, Policy Committees or Area Forums in connection with the formulation of policy and the discharge of any functions.
- (b) Consider any matter affecting the District or its residents.

- (c) Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions.
- (d) Exercise the Call-In procedure in respect of decisions made, but not yet implemented, by any Policy Committee or Area Forum.
- (e) Oversee the appropriate processes and report findings to the relevant Policy Committee.

1.4 Functions of Overview and Scrutiny Committee

- (a) Holding the Council and its statutory partners to account in the public interest, enabling transparent and effective decision-making. This includes the power to 'call-in' a decision made by any policy committee that has not yet been implemented. (See 1.6)
- (b) Supporting effective policies and initiatives, which have a beneficial impact on the community through policy review and development.
- (c) Contributing to continuous improvement in services through monitoring quarterly departmental performance reports and the implementation of improvement plans.
- (d) Having a positive impact on the work and outcomes of external agencies and providers of public services.
- (e) Aiding Councillors in engaging with their communities and playing the role of community representatives and leaders.

1.5 Meetings

The Overview and Scrutiny Committee usually meets every six weeks, on Wednesday evenings at the Council's Civic Offices. In order to engage on a more direct level with residents, meetings can also be taken out into the community. Meetings are held in Open session, unless there are Exempt items for consideration by the Committee. Additional task groups can be set-up to undertake work on the Committee's behalf, which usually happens when there is a need to review a topic in greater depth.

1.6 Call-In of Policy Committee Decisions

The Overview and Scrutiny Committee has the power to determine 'call-in' requests of any policy committee decision made but not implemented. During the year 2018/19, the Committee was not required to deal with any 'called in' decisions or requests from Policy Committees for specific investigations.

1.7 Member Requests

Any Member of the Council is able to request an item, relevant to the functions of the Committee, to be included in the Work Programme for review. During the 2018/19 municipal year, the Chairman of the Overview and Scrutiny Committee and a Member of the Council requested Multi-Team Working and Section 106 Health Allocations be added to the Work Programme for a detailed review.

2. Specific Areas of Activity

2.1 The Annual Report

In March 2019, the Committee considered the draft Annual Report for the 2018/19 municipal year, which looks at each of the priorities in turn and provides an overview of some of the outcomes achieved by the Committee and how it has discharged its function throughout the year.

2.2 Setting the Committee Work Programme

The Committee held a scoping meeting in June 2018 outlining suggestions on how the Committee might identify and agree possible issues to form the basis of its Work Programme during the forthcoming municipal year. Members considered a range of potential areas for the Committee to review and the specific focus of their attention.

The key areas identified were:

- (a) Regulation of Investigatory Powers Act (RIPA) 2000
- (b) The Budget 2019/2020
- (c) Update on Section 106 Health Allocations
- (d) Rural Play Provision
- (e) Universal Credit
- (f) Rural Broadband
- (g) Customer Services/Engagement
- (h) Housing Stock/Allocations/Monitoring
- (i) Litter Collection
- (j) Multi-Team Working
- (k) Safer Neighbourhood Grants

A short summary of the Committee's work during the year is set out below.

(a) Regulation of Investigatory Powers Act 2000 (RIPA)

The Committee has a standing function to monitor the Council's use of Regulation of Investigatory Powers (RIPA) on a quarterly basis, following the Council's Inspection by the Office of Surveillance Commissioners. The Committee noted the Council's use of Regulation of Investigatory Powers Act 2000 Policy and Guidance during the municipal year 2018/19.

(b) The Budget 2019/20

The Committee has a responsibility to assist the Finance and Management Committee to review the budget proposals. The Committee considered the Budget, the General Fund and capital at a meeting in January 2019. Members were also invited to attend policy-setting meetings and Area Forums where detailed presentations were given. The Committee was satisfied with the work undertaken and the outcome of the review of the Budget. The Committee Chairman also delivered a verbal update to the Finance and Management Committee, noting its review of the budgetary matters presented by the Strategic Director (Corporate Resources). He reported that the Committee had carefully considered the budget reports and acknowledged the potential financial challenges facing the Council, but no matters of significance from an overview and scrutiny perspective were cited for further investigation.

(c) Update on Section 106 Health Allocations

The Committee invited a representative from the Clinical Commissioning Group to attend a Committee Meeting, where an update was provided by the NHS Senior Primary Care Commissioning Manager, who informed Committee the four Clinical Commissioning Groups in Derbyshire were developing a Derbyshire-wide Strategy and Sustainable Transformation Plan, updating the Estates Plan and a South Derbyshire influenced Section 106 template was now in place across Derbyshire.

In relation to Section 106 matters, monies were being used flexibly to accommodate recruitment challenges to support existing resources. The Committee took note that strategic planning was improving, which was allowing for an improved ability to meet changing needs with better working practices.

(d) Rural Play Provision

Following the completion of an audit on play facilities within the District carried out by an external contractor, the draft findings were presented to the Committee to be reviewed. It was determined that overall, the play facilities within the District were above average quality, though there were identified issues with some sites relating to poor signage and appearance. A proposed action plan would include the development of a rolling programme to ensure signage remained up to date. A further recommendation, which was welcomed by the Committee, was the move to a bespoke electronic system to improve the accuracy of recording identified issues and efficiency in responding.

(e) Universal Credit

The Committee was updated by the Strategic Director (Corporate Resources) on the preparations undertaken by the Council in anticipation of the full rollout of Universal Credit. Actions taken to date have included contacting tenants affected by the rollout, securing IT facilities to accommodate electronic application submissions, applicable staff have received necessary training through the Department of Work and Pensions, budgeting support surgeries for tenants have been implemented and a revision of performance processing monitoring has been completed. Members considered the preparations made to ensure a smooth transition, but remain vigilant to the potential impact Universal Credit may have on debt and arrears.

(f) Rural Broadband

A presentation was delivered to the Committee by the Programme Manager from Digital Derbyshire, which outlined the progress of supplying fibre broadband to 105,000 households by 2020, with a majority of premises having been completed. The scheme was initiated to assist those in rural communities, though there remained some difficulties for some local residents and businesses to access broadband, even though this was now available and is something Rural Broadband will continue to address.

(g) Customer Service/Engagement

This item was added to the Work Programme as the Committee wished to monitor the measures taken to ensure a consistent approach to customer services and engagement was instilled across the Council. The Strategic Director (Corporate Resources) updated the Committee that a new matrix to monitor service provision would be piloted, which would assist in identifying and tailoring training requirements.

(h) Housing Stock/Allocations/Monitoring

The Housing Services Manager provided the Committee with specific details of the current housing stock and outlined Savills had been commissioned to undertake a physical survey of 10% of current housing stock to help assist in revising the management strategy and planned improvement programme; an analysis of fire safety of Council owned dwellings was also being undertaken. The Committee was updated on the Council's Allocations Policy and explored the priority banding system based on housing needs. The Allocations Policy is due to be reviewed following the introduction of the new choice based lettings software. The Committee also noted the service plan to monitor Housing Services performance outlined proactive approaches to address challenges, which had been identified for over the next five years.

(i) Litter Collection

The Committee reviewed the current activities undertaken by the Council to tackle litter within the District that is complimentary to the Government's Litter Strategy for England. Such activities reviewed included evaluating the Council's proactive response to fly tipping, including the legal powers utilised by the Council and using social media to deter people from fly tipping, and the Green Dog Walkers Pledge initiative, which encourages the community to be invested in reducing issues of dog fouling. The Committee noted the main provisions outlined from the litter strategy and the possible implications upon Council resources.

(j) Multi-Team Working

The Chairman requested this item was brought to Committee for discussion. The Strategic Director (Service Delivery) advised the Committee, outlining the strategies that have been developed to ensure a consistent performance standard is carried out across all remits of service delivery.

(k) Safer Neighbourhood Grants

The Committee was updated on the performance of the Safer and Stronger Neighbourhood funding stream, specifically the community development initiatives successfully supported through the scheme. The Committee gave consideration on how the funding stream should continue to operate and the different approaches to advertising were noted.

3 Challenges for 2019-2020

- To build on, and update, the achievements of Overview & Scrutiny.
- To ensure that Overview and Scrutiny continues to make a positive contribution to the development of policy and the continuous improvement of the Council's operations.
- To continue to ensure the Overview and Scrutiny work programme reflects concerns of service users, community and the public.
- To continue to ensure Overview and Scrutiny works with the community and key partners to respond to local concerns.
- To continue to ensure that the work of Overview and Scrutiny has a positive effect on decision-makers and provides evidence that it has made a real difference.
- To ensure Overview and Scrutiny takes a more active, appropriate role in respect of the work of the Policy Committees and their decisions.
- To balance the focus of the Overview and Scrutiny Committee both inward on existing and proposed Council services, and outward to other areas of the community and partner organisations.
- To build on the existing scoping procedure to make it more robust, to ensure the original scope is used as a point of reference for each work programme item and a tool to measure progress and the value being added by the committee as it completes its work.

Chairman, Vice-Chairman and Members of the Overview and Scrutiny Committee
March 2019

REPORT TO:	ANNUAL COUNCIL	AGENDA ITEM: 12
DATE OF MEETING:	16th MAY 2019	CATEGORY:
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	STRATEGIC DIRECTOR (SERVICE DELIVERY) Allison.Thomas@southderbyshire.gov.uk 01283 595775	DOC:
SUBJECT:	ADDITION TO THE COUNCIL'S LIST OF OUTSIDE BODIES	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That Council agrees to the addition of a new organisation, Central Building Control Partnership – Partnership Advisory Board, to its List of Outside Bodies.
- 1.2 That Council agrees to the appointment of a Member to serve as the Council's representative on this Body.

2.0 Purpose of Report

- 2.1 To seek Council approval to the addition of a new organisation to its List of Outside Bodies and to confirm its nomination to act as the Council's representative on this organisation. The purpose of the Partnership Advisory Board (PAB) is to ensure that elected members from each authority taking part in the Partnership are aware of the progress and performance of the Partnership.

3.0 Detail

- 3.1 As one of six authorities joining the Central Building Control Partnership as hosted by Lichfield District Council, the Legal Agreement pertaining to such requires the formation of a governance structure comprising a Partnership Steering Group attended by a senior officer from each authority, and a PAD attended by one elected member of each Council. Terms of Reference are yet to be determined. The senior officer of the Partnership Steering Group also attends the PAB meetings acting as an advisor along with the Partnership Manager.
- 3.2 There will be no fixed dates for PAB meetings but at least one PAB meeting per year to discharge its responsibilities. Otherwise the PAB may meet on such occasions as the PAB may agree.
- 3.3 Council is, therefore, requested to approve the addition of this new organisation to the Council's List of Outside Bodies and to nominate a Member as its representative on this Body.

4.0 Financial Implications

4.1 There are none relating to this report.

5.0 Corporate Implications

5.1 There are none relating to this report.

6.0 Community Implications

6.1 There are none relating to this report.

7.0 Background Papers

7.1 Outside Bodies List 2018-19
Legal Agreement of the proposed Building Control Partnership

REPORT TO:	ANNUAL COUNCIL	AGENDA ITEM: 13
DATE OF MEETING:	16 th MAY 2019	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ARDIP KAUR (ext.5715) Ardip.Kaur@southderbyshire.gov.uk	DOC:
SUBJECT:	CYCLE OF MEETINGS 2019/20	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 2019/2020 (**Appendix A** to this report) be approved.

2.0 Purpose of Report/Detail

2.1 To consider the cycle of Meetings for 2019/2020 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 2019/20

Committee	Day	Date
ANNUAL COUNCIL	Thursday	16.05.19
CIVIC COUNCIL	Thursday	23.05.19
Audit Sub-Committee: Special	Wednesday	29.05.19
Environmental & Development Services	Thursday	30.05.19
Planning	Tuesday	04.06.19
Housing & Community Services	Thursday	06.06.19
Finance & Management	Thursday	13.06.19
Overview & Scrutiny	Wednesday	19.06.19
Planning	Tuesday	25.06.19
COUNCIL	Thursday	27.06.19
Etwall JMC	Wednesday	10.07.19
Planning	Tuesday	16.07.19
Audit Sub-Committee (Special)	Wednesday	24.07.19
Finance and Management (Special)	Thursday	25.07.19
Planning	Tuesday	06.08.19
Environmental & Development Services	Thursday	15.08.19
Housing & Community Services	Thursday	22.08.19
Finance & Management	Thursday	29.08.19
Planning	Tuesday	03.09.19
Overview & Scrutiny	Wednesday	04.09.19
Audit Sub-Committee	Wednesday	18.09.19
COUNCIL	Thursday	19.09.19
Planning	Tuesday	24.09.19
Etwall JMC	Wednesday	25.09.19
Environmental & Development Services	Thursday	26.09.19
Housing & Community Services	Thursday	03.10.19
Finance & Management	Thursday	10.10.19
Planning	Tuesday	15.10.19
Overview & Scrutiny	Wednesday	16.10.19
COUNCIL	Thursday	17.10.19
Planning	Tuesday	05.11.19
Environmental & Development Services	Thursday	14.11.19
Housing & Community Services	Thursday	21.11.19
Planning	Tuesday	26.11.19
Overview & Scrutiny	Wednesday	27.11.19
Finance & Management	Thursday	28.11.19
Audit Sub-Committee	Wednesday	11.12.19
Planning	Tuesday	17.12.19
Environmental & Development Services (Special - Budget)	Monday	06.01.20
Housing & Community Services (Special – Budget)	Tuesday	07.01.20
Etwall JMC	Wednesday	08.01.20
Finance & Management (Special – Budget)	Thursday	09.01.20
Planning	Tuesday	14.01.20
Overview & Scrutiny	Wednesday	15.01.20
COUNCIL	Thursday	16.01.20

COMMITTEE AND COUNCIL MEETINGS 2019/20

Environmental & Development Services	Thursday	23.01.20
Housing & Community Services	Thursday	30.01.20
Planning	Tuesday	04.02.20
Overview & Scrutiny	Wednesday	12.02.20
Finance & Management	Thursday	13.02.20
Planning	Tuesday	25.02.20
COUNCIL	Wednesday	26.02.20
Environmental & Development Services	Thursday	05.03.20
Housing & Community Services	Thursday	12.03.20
Finance & Management	Thursday	19.03.20
Planning	Tuesday	24.03.20
Audit Sub-Committee	Wednesday	25.03.20
Overview & Scrutiny	Wednesday	01.04.20
Etwall JMC	Wednesday	08.04.20
COUNCIL	Thursday	16.04.20
Planning	Tuesday	21.04.20
Environmental & Development Services	Wednesday	22.04.20
Housing & Community Services	Tuesday	28.04.20
Finance & Management	Thursday	30.04.20
Planning	Tuesday	05.05.20
ANNUAL COUNCIL	Thursday	14.05.20
CIVIC COUNCIL	Thursday	21.05.20

REPORT TO:	ANNUAL COUNCIL	AGENDA ITEM: 14
DATE OF MEETING:	16th MAY 2019	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ARDIP KAUR Ardip.Kaur@southderbyshire.gov.uk EXT. 5715	DOC:
SUBJECT:	TEMPORARY APPOINTMENT OF DISTRICT COUNCILLORS TO PARISH COUNCILS	REF: AC
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Chief Executive be authorised to appoint District Councillors to Parish Councils in accordance with the procedure set out in Appendix 1 to this report.
- 1.2 The Chief Executive to report any such appointments to the next meeting of Council.

2.0 Purpose of Report

- 2.1 To ensure Parish Councils can continue to operate in the event they become inquorate.

3.0 Detail

- 3.1 A Parish Council must be quorate in order to operate. A quorate is one third of its membership, but no less than three.
- 3.2 Section 91(1) of the Local Government Act 1972 provides that the Principal Authority, in this case the Council, can make an Order to appoint a sufficient number of Parish Councillors on a temporary basis to the Parish Council until such time as the vacancies on the Parish Council have been filled by election.
- 3.3 The procedure at Appendix 1 outlines the process to ensure Parish Councils can continue to operate until vacancies are appointed by way of the electoral process. The procedure is only to be used where the Parish Council cannot continue its business until it is quorate.
- 3.4 South Derbyshire has 31 Parish Councils. Elections to Parish Councils take place every four years alongside the elections to the District Council.
- 3.5 Following the recent election, one Parish Councillor was elected to Church Broughton Parish Council, making the Parish Council inquorate. One Parish Councillor was also elected to Foston and Scropton Lees Parish Council, also making it inquorate. There were no nominations to Dalbury Lees, Newton Solney and

Smisby Parish Councils. A Notice of Election has been republished for these Parish Councils, in line with election legislation.

- 3.6 The procedure at Appendix 1 proposes that all District Ward Members that cover the area of the parish are offered the appointment of temporary Parish Councillor. This should mean that there are sufficient persons available to ensure that the Parish Council becomes quorate. Where a Parish Council falls into more than one District Ward all District Ward councillors covering the appropriate component ward(s) of the parish where the vacancies exist would be given the opportunity to become a temporary Parish Councillor.
- 3.7 All temporary appointments should end either when permanent Parish Councillors are appointed sufficient to make the Parish Council quorate, or after six months beginning from the date on which the Order is signed, whichever is the earlier.

5.0 Financial Implications

- 5.1 There are no financial implications arising directly from this report.

6.0 Corporate Implications

- 6.1 To ensure continuation of local democracy.

7.0 Community Implications

- 7.1 Parish Councils can continue to operate having become inquorate.

8.0 Background Papers

- 8.1 Procedure for making temporary appointments to Parish Councils.

APPENDIX 1

Procedure for making temporary appointments to Parish Councils

This procedure allows South Derbyshire District Council to make an Order to appoint persons to Parish Councils in accordance with section 91 of the Local Government Act 1972.

1. The Parish Clerk advises the Council that the Parish Council is unable to operate due to being inquorate.
2. Elections verifies the number of seats on the Parish Council.
3. All District Ward Members for the area in which the parish is located will be offered the temporary appointment of Parish Councillor until such time as the vacancies are filled by election.
4. For parishes falling into two different district Wards the District Ward Members applicable to the parish ward(s) where the vacancies have arisen will all be approached.
5. Where the relevant Ward Members are unable to be appointed and the Parish Council remains inquorate the Chief Executive, in consultation with the Leader will consider the way forward which may involve adjacent District Ward Members.
6. All appointments must be made by Order under Section 91(1) of the Local Government Act 1972.
7. A report detailing the action taken will be submitted to the next Council meeting.
8. In accordance with section 91(3) of the Local Government Act 1972 the Chief Executive will forward two copies of the Order to the Secretary of State. A copy for information will also be sent to the Clerk of the Parish Council.
9. The Order will stipulate the names of the appointed persons and the latest date their appointment will expire.

LICENSING AND APPEALS SUB-COMMITTEE

9th April 2019 at 10.00am

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillor Mrs Patten (Chairman), Councillor Stanton (Conservative Group), and Councillor Southerd (Labour Group)

District Council Representatives

A Kaur (Head of Legal and Democratic Services), E McHugh (Senior Licensing Officer), M Lomas (Licensing Officer[Enforcement]) and R Pabla (Senior Democratic and Electoral Services Officer)

LAS/45 **APOLOGIES**

The Sub-Committee was informed that no apologies had been received.

LAS/46 **DECLARATION OF INTEREST**

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

MATTERS DELEGATED TO SUB-COMMITTEE

LAS/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 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.

HEARING FOR CONSIDERATION OF A PERSONAL LICENCE (Paragraph 1)

The Sub-Committee considered determination of a Personal Licence, based on the evidence before them.

REVIEW OF A PRIVATE HIRE OPERATOR'S LICENCE (Paragraph 1)

The Sub-Committee considered a review of a Private Hire Operator's Licence, based on the evidence before them.

DETERMINATION OF AN APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

The Sub-Committee considered determination of a Private Hire Driver's Licence, based on the evidence before them.

DETERMINATION OF AN APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE DRIVER'S LICENCE

The Item was deferred to a future Sub-Committee.

The Meeting terminated at 1.50pm

COUNCILLOR MRS PATTEN

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

17th April 2019

PRESENT:-

Conservative Group

Councillor MacPherson (Chairman) and Councillor Roberts (Vice-Chairman) and Councillors Billings, Mrs Brown, Mrs Patten, Pegg and Watson

Labour Group

Councillors Dunn, Shepherd (substituting for Councillor Chahal) and Tilley

EDS/106 **APOLOGIES**

Apologies for absence were received from Councillor Mrs Coe (Conservative Group), Councillors Chahal and Taylor (Labour Group) and Councillor Coe (Independent/Non-Grouped).

EDS/107 **MINUTES**

The Open Minutes of the Meeting held on 3rd January 2019 were noted, approved as a true record and signed by the Chairman.

EDS/108 **DECLARATIONS OF INTEREST**

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

EDS/109 **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/110 **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/111 **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE

EDS/112 **SERVICE PLANS 2019/20**

The Strategic Director (Service Delivery) presented the report to Committee, noting the report sets out the overview, staff requirements and performance measures for the next six months.

Councillor Tilley welcomed the report, particularly the identification of areas where spending was required. He queried how the capital budgets were prioritised. The Strategic Director (Service Delivery) noted it was an indicative figure based upon the various needs of each department, which would have been reported on in earlier Committees.

RESOLVED:

- 1.1 *The Committee approved the Service Plans for Service Delivery and Chief Executive's Directorates as a basis for service delivery over the period 1 April 2019 to 30 September 2019.***

EDS/113 **KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT**

The Senior Licensing Officer presented the report to Committee.

Councillor Tilley welcomed the report and thanked the Officer and the Licensing Team for another outstanding report.

RESOLVED:

- 1.1 *The Committee noted the performance of the Licensing Department in relation to the Key Performance Indicators.***

Councillor Billings joined the meeting at 6.15pm.

EDS/114 **RESOURCES AND WASTE STRATEGY CONSULTATION**

The Head of Operational Services presented the report to Committee, noting the responses to the questions posed by the Government centred around the aim of delivering a nationally consistent approach to waste collection, which included reviewing recycling collections, introducing a deposit return scheme and implementing a plastic packaging tax on packaging which contained less than 30% recycled plastic.

Councillor Watson remarked on the complexities of the report, noting disappointment a seminar was not held to allow the Committee to review the report in detail. Aspects of the report, mainly weekly food collection, were not something he could support and required a separate discussion. He would recommend an extension is requested to allow for time for further consideration.

The Strategic Director (Service Delivery) noted the Member's disappointment, commenting the short timescale allocated by the government for the Council to submit the responses was not conducive for such a detailed review. The Strategic Director (Service Delivery) further explored the government's drive for weekly food collections, noting within the response to the consultation, it will be requested that the District Council is able to continue collecting food waste with the garden waste to support the current infrastructure to prevent

additional costs by food waste being included in black bins, which was at a significantly higher cost. Councillor Watson appreciated the detailed response, noting if the waste collection was as stipulated within the report he would withdraw his earlier comments.

A discussion took place regarding improving education of residents to improve recycling rates; ensuring more punitive measures towards manufacturers are enforced to change the habits of companies; the production of more recyclable materials so less waste is placed in black bins and how the additional cost of moving towards weekly collections would be covered.

RESOLVED:

1.1 The Committee endorsed the proposed responses to the Government's Resources and Waste Strategy Consultations.

EDS/115 **CORPORATE ENVIRONMENTAL SUSTAINABILITY GROUP**

The Head of Environmental Services presented the report to Committee, highlighting the work undertaken by the group so far, which included the creation of a travel working group tasked with developing specific travel options for staff following the completion of a travel survey, which received responses from nearly 60% of staff across operational services. Future projects would centre on addressing energy and waste.

Councillor Watson queried if a correlation existed between staff absence rates and the distance travelled to work. The Strategic Director (Service Delivery) responded to the query, noting the Health Partnership Manager was addressing the staff absence rate, with a focus on health and wellbeing such as the introduction of a walking group that staff can participate in during their lunch break.

RESOLVED:

1.1. The Committee noted the progress made in improving the Council's environmental performance further to this Committee establishing a Corporate Environmental Sustainability Group in August 2018.

1.2. The Committee approved the development of a Staff Travel Plan and that the final version of the Plan be reported to this Committee at a later date.

1.3. The Committee approved that the Corporate Environmental Sustainability Group develops key environmental performance indicators for inclusion within future versions of the Corporate Action Plan.

EDS/116 **FIXED PENALTY NOTICES FOR HOUSEHOLD DUTY OF CARE OFFENCES**

The Head of Environmental Services presented the report to Committee, noting performance indicators showed a 9% reduction in flytipping and fixed penalty notices allowed for a further sanction to be utilised. A max fine of £400

would be implemented and vulnerable people, such as victims of scams, would be exempt.

Members commended the efforts taken to tackle flytipping within the District, though recognising more was still required to help educate the general public on what they could potentially be liable for. A discussion took place regarding how signs left posted from homebuilders can be blights within areas and there was a potential need to review dog waste disposal.

RESOLVED:

1.1. The Committee approved the use of Fixed Penalty Notices, where appropriate, to take enforcement action against household duty of care offences.

1.2. The Committee approved that the Fixed Penalty Notice charge be set at £400, with an early payment reduced charge of £280.

EDS/117 **COMMITTEE WORK PROGRAMME**

RESOLVED:

1.1 The Committee considered and approved the updated work programme.

EDS/118 **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.

ENVIRONMENTAL HEALTH BUSINESS SUPPORT

The Committee approved the recommendation contained in the report.

The meeting terminated at 7.20pm.

CHAIRMAN

HOUSING AND COMMUNITY SERVICES COMMITTEE

23rd April 2019

PRESENT:-

Conservative Group

Councillor Hewlett (Chairman) and Councillor Smith (Vice-Chairman) and Councillors Atkin (substituting for Councillor Grant), Dr Coyle, Roberts, Watson and Wyatt

Labour Group

Councillors Dunn (substituting for Councillor Wilkins), Rhind, Richards and Shepherd

HCS/100 **APOLOGIES**

Apologies for absence were received from Councillor Grant (Conservative Group) and Councillor Wilkins (Labour Group) and Councillors Coe and Tipping (Independent/Non-Grouped).

HCS/101 **MINUTES**

The Open Minutes of the Meetings held on 8th January 2019 and 31st January 2019 were noted and approved as a true record and signed by the Chairman.

HCS/102 **DECLARATIONS OF INTEREST**

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

HCS/103 **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/104 **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/105 **REPORTS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE

HCS/106 **SERVICE PLANS 2019-20**

The Strategic Director (Service Delivery) presented the report to Committee, outlining the proposed plans were aligned with the Corporate Plan and set objections for staff within the directorate.

Councillor Atkin queried when the vacant post of Head of Cultural and Community Services was due to be filled and why Derby City was not listed as a significant partnership considering Aston was adjacent to the city boundary. The Strategic Director (Service Delivery) responded to the queries, remarking interviews for the vacant post were due to be held on 22nd May 2019 and the significant partnership were groups the Council was a member of, such as the Community Safety Partnership, which Derby City is also part of.

RESOLVED:-

- 1.1 The Committee approved the Service Plan for the Service Delivery Directorate as a basis for service delivery over the period 1 April 2019 to 30 September 2019.***

HCS/107 **PARKS AND OPEN SPACES EVENTS POLICY**

The Cultural Services Manager presented the report to Committee, highlighting the report was seeking to introduce a framework to better assess the events held within local parks.

Councillor Richards queried if the policy would protect against private enterprise. The Cultural Services Manager responded to the query, noting the policy would seek the completion of risk assessments and provide guidance; there would be capacity to challenge organisers and would protect parks from overuse. Councillor Richards requested local Members were informed of large events that take place within their Wards.

RESOLVED:-

- 1.1 The Committee approved the adoption of the Parks and Open Spaces Events Policy.***
- 1.2 The Committee approved the introduction of a permit process and fee for regulating the use of parks and open spaces by personal trainers and fitness organisations.***
- 1.3 That following the adoption of the Parks and Open Spaces Events Policy, the Committee approved officers investigating the potential for commercial enterprise within its parks to further increase potential revenue opportunities.***

HCS/108 **COMMUNITY PARTNERSHIPS SCHEME**

The Strategic Director (Service Delivery) presented the report to Committee.

RESOLVED:-

- 1.1 *The Committee accepted the recommendation of the Community Partnership Scheme Assessment Panel to award £3,621, the remaining balance of grant monies allocated for 2018/19 as detailed in section 4.8 of this report.*

HCS/109 **COMMITTEE WORK PROGRAMME**

RESOLVED:-

The Committee considered and approved the updated work programme.

HCS/110 **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 31st January 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.

ROSLISTON FORESTRY CENTRE – PROCUREMENT EXERCISE

Members approved the recommendations in the report.

The Meeting terminated at 6.25PM.

COUNCILLOR J HEWLETT

CHAIRMAN

LICENSING AND APPEALS SUB-COMMITTEE

24th April 2019 at 10.00am

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillor Mrs Patten (Chairman), Councillor Stanton (Conservative Group), and Councillor Southerd (Labour Group)

District Council Representatives

A Kaur (Head of Legal and Democratic Services), E McHugh (Senior Licensing Officer) and S Irvine (Democratic Services Officer)

LAS/52 **APOLOGIES**

The Sub-Committee was informed that no apologies had been received.

LAS/53 **DECLARATION OF INTEREST**

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

MATTERS DELEGATED TO SUB-COMMITTEE

LAS/54 **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.

DETERMINATION OF AN APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE DRIVER'S LICENCE

The Sub-Committee considered an application for the renewal of a Private Hire Driver's Licence, based on the evidence before them.

The Meeting terminated at 10.15AM.

COUNCILLOR MRS PATTEN

REPORT TO:	ANNUAL COUNCIL	AGENDA ITEM: 16
DATE OF MEETING:	16 th MAY 2019	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN PARAGRAPH NO: N/A
MEMBERS' CONTACT POINT:	ARDIP KAUR Ardip.Kaur@southderbyshire.gov.uk EXT. 5715	DOC:
SUBJECT:	POLITICAL PROPORIONALITY	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 That the Council approves and adopts the recommended allocation of seats to the Political Groups for the remainder of the municipal year 2019/20.
- 1.2 That the Council allocates seats between the Political Groups as set out at Annexe 'A'.

2.0 Purpose of Report

- 2.1 To consider the Council's political proportionality for the remainder of the municipal year 2019/20 following changes to the composition of the Conservative Group.

3.0 Detail

- 3.1 The Council's duty to determine the allocation of seats is prescribed by Section 15 of the Local Government and Housing Act 1989 ("the Act") (specifically subsections (3) to (5) as modified by The Local Government (Committees and Political Groups) Regulations 1990 ("the Regs")). A Political Group is defined as being constituted by at least two Members who have advised the proper officer of the local authority in writing that they wish to be treated as a Political Group.

- 3.2 The political composition of the Council is as follows:-

- Conservative Group 22
- Labour Group 14

- 3.3 The Council is required to review the representation of the different political groups on Committees and Sub-Committees at, or as soon as practicable after, the Annual Meeting of the Council; or where notice is received of a change in the composition of Political Groups.

- 3.4 The principles of determination are as follows:-

- (a) All the seats are not allocated to the same Group;
- (b) The majority of the seats go to the Group (if any) which has an overall majority on the Council;
- (c) Subject to the above two principles, that the number of seats on the total of all the ordinary Committees allocated to each Group bears the same proportion to the proportion on the Full Council.

3.5 The total number of Committee seats on the District Council for allocation is 98. After calculating the proportionality for the two Groups, this gives 60 seats to the Conservative Group, and 38 seats to the Labour Group as indicated on the schedule attached at Annexe 'A'.

4.0 Financial Implications

4.1 None.

5.0 Corporate Implications

5.1 The rules on political balance are covered by Sections 15 and 16 of the Local Government and Housing Act 1989 and by The Local Government (Committees and Political Groups) Regulations 1990.

6.0 Community Implications

6.1 None.

7.0 Background Papers

7.1 Local Government and Housing Act 1989
The Local Government (Committees and Political Groups) Regulations 1990

ANNEXE 'A'

POLITICAL PROPORTIONALITY 2019/20

Committee	Membership	Conservative Group	Labour Group
Finance & Management	13	8	5
Environmental & Development Services	13	8	5
Housing & Community Services	13	8	5
Planning	13	8	5
Licensing & Appeals	15	9	6
Overview & Scrutiny	8	5	3
Standards	6	4	2
Joint Consultative	5	3	2
Etwell Leisure Centre Joint Management	3	2	1
Audit Sub	5	3	2
Heritage Grants Sub	4	2	2
Seats available for allocation	98	60 (59.89%)	38 (38.11%)
Total number of seats on Council	36 (100%)	22 (61.11%)	14 (38.89%)