

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way, Swadlincote
on 1st October 2009
at 6.00 p.m.

PRESENT:-

Conservative Group

Councillor Murray (Chairman), Councillor Atkin (Vice-Chairman) and Councillors Bladen, Mrs. Coyle, Mrs. Farrington, Ford, Harrison, Hewlett, Mrs. Hood, Jones, Lemmon, Mrs. Patten, Mrs. Plenderleith, Roberts, Stanton, Timms, Mrs. Wheeler and Wheeler.

Labour Group

Councillors Bambrick, Dunn, Mrs. Gillespie, Mrs. Lane, Mrs. Mead, Rhind, Richards, Shepherd, Taylor, Tilley and Wilkins.

Independent/Non-Grouped Member

Councillor Pabla.

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Bale, Grant and Watson, (Conservative Group), Councillors Lane and Southerd, (Labour Group) and Councillor Mrs. Brown (Independent/Non-Grouped Member).

CL/45. **MINUTES**

The Open Minutes of the Meeting of the Council held on 9th July 2009 (Minutes Nos. CL/21 – CL/37) and of the Extraordinary Meeting of the Council held on 3rd August 2009 (Minutes Nos. CL/40 – CL/44) were taken as read, approved as true records and signed by the Chairman. A Member referred to Minute No. CL/28, a question on notice, relating to a housing matter and outlined a further case, which might require an urgent meeting with Officers.

CL/46. **DECLARATIONS OF INTEREST**

Councillor Mrs. Plenderleith declared a prejudicial interest in respect of the item on transfer of land adjacent to Hilton Village Hall, as Chairman of the Village Hall Management Committee. Councillor Lemmon declared a prejudicial interest in respect of the Exempt Minutes of two Standards Sub-Committee meetings.

CL/47. **PRESENTATION BY ST. GILES HOSPICE**

The Council received a presentation from Helen Relihan, on the work of the St. Giles Hospice. She provided background to the establishment and development of the Hospice and the catchment area it covered, including

South Derbyshire. Details were given of the caring services that St. Giles provided, together with statistics on the number of patients. The Hospice's future development plans and funding arrangements were also discussed. Documents were circulated to provide further information and Ms. Relihan was thanked for the presentation.

CL/48. **BOUNDARY COMMITTEE FOR ENGLAND – ELECTORAL REVIEW OF SOUTH DERBYSHIRE**

The Chairman introduced Max Caller, Will Morrison, Alison Wildig and Joan Jones from the Boundary Committee. A presentation was provided, which gave background on the Boundary Committee for England, why South Derbyshire had been selected for an Electoral Review and the purpose of that review. The Powerpoint presentation included slides on the issues that would be considered, those that could not be considered and the information that the Boundary Committee needed to know, in order to undertake the review. Several slides looked at the process of the review, leading to final recommendations. There was the opportunity for input from Councillors, Officers and parishes. The implications for parish councils were also reported. Mr. Caller concluded the presentation with a summary of the key issues.

Questions were invited and the first concerned the duration of the review, which should be concluded in time for the next District Elections. Ensuring that, as near as possible, there was equal representation and how population growth would be dealt with were also raised. Parish consultation was important and the Boundary Committee would meet with parish councils the following week. There was discussion about parish council boundaries, parished areas being used as "building blocks" to make up wards, the consultation arrangements for un-parished areas and the forums available. The representatives of the Boundary Committee were thanked for their attendance and the presentation.

RESOLVED:-

That the presentation from the Boundary Committee for England be received.

CL/49. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had circulated extracts from his diary, giving details of recent events attended. He highlighted a number of these events and photographs were displayed to accompany the presentation. In particular, he referred to the visit by children from Chernobyl, Rosliston in Bloom, Land Girls at Calke Park and the Heritage and Housing Open Days. He then spoke of the visit by Civic Dignitaries to Toyota.

The Chairman was aware of the need to consider an urgent, Exempt item during the Meeting and was satisfied with the grounds for urgency. This concerned engineering works to the Midway Fishponds and was urgent because of significant health and safety implications. This item would be considered during the Exempt part of the Meeting. Condolences were passed to the Chairman following the recent death of his Mother.

CL/50. **LEADER'S ANNOUNCEMENTS**

The Leader of the Council gave an outline of recent emergency planning work undertaken at Coton-in-the-Elms, praising all the staff involved and requesting that Members' thanks be passed on to them.

CL/51. **CHIEF EXECUTIVE'S ANNOUNCEMENTS**

The Chief Executive reinforced key points from the earlier presentation by the Boundary Committee for England. He outlined plans for Members to become involved through a Working Group and for input from parish councils and other bodies for the urban area.

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, 7th July 2009 (Minutes Nos. DC/15 - DC/26)

Licensing and Appeals Sub-Committee, 16th July 2009 (Minutes Nos. LAS/5 – LAS/6)

Standards Committee, 21st July 2009 (Minutes Nos. SC/5 – SC/15)

Standards Sub-Committee (Consideration), 22nd July 2009 (Minute No. SC/18)

Development Control Committee, 28th July 2009 (Minutes Nos. DC/28 - DC/42)

Standards Sub-Committee (Hearing), 13th August 2009 (Minute No. SC/21)

Development Control Committee, 25th August 2009 (Minutes Nos. DC/44 - DC/53)

Environmental and Development Services Committee, 27th August 2009 (Minutes Nos. EDS/9 - EDS/19)

(A question was submitted about the start time for the next meeting of this Committee and the Chairman explained why it had been delayed by one hour. A correction was highlighted on these Minutes.)

Licensing and Appeals Sub-Committee, 1st September 2009 (Minute No. LAS/8)

***Housing and Community Services Committee, 3rd September 2009
(Minutes Nos. HCS/13 - HCS/20)***

(Minute No. HCS/16 – It was confirmed that the two Controlling Group Members for the review of the Community Warden Service would be Councillors Grant and Hewlett).

Finance and Management Committee, 10th September 2009 (Minutes Nos. FM/24 - FM/33)

Development Control Committee, 22nd September 2009 (Minutes Nos. DC/54 – DC/69)

Area Forums

Etwell, 24th June 2009 (Minutes Nos. EA/1 - EA/8)

Newhall, 30th June 2009 (Minutes Nos. NA/1 – NA/11)

Melbourne, 15th July 2009 (Minutes Nos. MA/1 – MA/10)

Swadlincote, 16th July 2009 (Minutes Nos. SA/1 – SA/10)

Repton, 20th July 2009 (Minutes Nos. RA/1 – RA/11)

Linton, 22nd July 2009 (Minutes Nos. LA/1 – LA/10)

CL/53. 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.

CL/54. COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS

There were no amendments to the compositions of Committees, Sub-Committees and Working Panels.

CL/55. COMPOSITION OF SUBSTITUTE PANELS

RESOLVED:-

That Councillor Murray replaces Councillor Mrs. Coyle as a substitute Member for the Development Control Committee.

CL/56. REPRESENTATION ON OUTSIDE BODIES

There were no changes to the Council's representatives on outside bodies.

CL/57. LOCAL CODE OF CORPORATE GOVERNANCE – REVIEW OF SELF-ASSESSMENT

The Council was asked to consider recommendations from the Standards Committee and the Audit Sub-Committee on the Local Code of Corporate Governance – Review of Self-Assessment. Members were reminded that a revised Local Code of Corporate Governance was adopted in 2008 and a self-

assessment had been undertaken by Senior Officers. Council had requested the Standards Committee and Audit Sub-Committee to receive half-yearly reports on progress in relation to compliance with the six core principles, on which the Code was based. This was to ensure that the Standards Committee had a pivotal role in promoting and maintaining the high standards of conduct and that Audit Sub-Committee would oversee and monitor arrangements for complying with corporate governance issues.

In June 2009, the Audit Sub-Committee reviewed the Action Plan and self-assessment document and the Sub-Committee's findings were reported. In July 2009, the Standards Committee reviewed the Code of Corporate Governance Action Plan and self-assessment document and its findings were also reported. An external assessment was undertaken on how far the Council's current processes and documentation met the principles set out in the Local Code of Corporate Governance. Details were provided of that review, undertaken by Solace Enterprises, the conclusions from the review and current examples of good practice. A further issue raised by the Audit Sub-Committee at its Meeting on 30th September 2009 concerned additional audit/refresher training.

RESOLVED:-

That Council accepts the views of the Standards Committee and those of the Audit Sub-Committee, as set out within the report, on the Local Code of Corporate Governance – Review of Self-Assessment.

CL/58. **TRANSFER OF LAND ADJACENT TO HILTON VILLAGE HALL**

Note: At 7.10 p.m. Councillor Mrs. Plenderleith left the Meeting during the consideration of this item.

It was reported that the Council owned a parcel of land around Hilton Village Hall, acquired as part of the significant development that had taken place in the Village. At its meeting on 30th April 2009, the Finance and Management Committee had approved the transfer of this land to Hilton Parish Council. For some time, the local community had been developing a project to extend the Village Hall. It was anticipated that part of the funding for this project would come from the Big Lottery, with a key condition being that applicants had security of tenure over the land they were seeking to enhance. The direct disposal of the freehold of the land on this occasion was the most appropriate way to achieve this objective. The report also provided details of the financial implications associated with legal and surveyor's costs and the implications associated with the disposal of this land at less than best consideration.

RESOLVED:-

- (1) That the area of land identified in the report be disposed of for no consideration, on a freehold basis, to the Trustees of Hilton Village Hall.***

- (2) *That any objections received following the statutory advertising of the proposed disposal are referred to the Director of Community Services, in consultation with the Chairman of the Finance and Management Committee, to be determined.*

At 7.15 p.m., Councillor Mrs. Plenderleith rejoined the Meeting.

CL/59. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

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 9th July 2009 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, 7th July 2009

Licensing and Appeals Sub-Committee, 16th July 2009

Standards Committee, 21st July 2009

Standards Sub-Committee (Consideration), 22nd July 2009

Development Control Committee, 28th July 2009

Standards Sub-Committee (Hearing), 13th August 2009

Environmental and Development Services Committee, 27th August 2009

Licensing and Appeals Sub-Committee, 1st September 2009

Housing and Community Services Committee, 3rd September 2009

Finance and Management Committee, 10th September 2009

ENGINEERING WORKS – MIDWAY FISHPONDS (Paragraph 3)

The Council approved the allocation of additional resources, to enable essential engineering works to be undertaken at the Midway Fishponds.

P. MURRAY

CHAIRMAN