

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way, Swadlincote
on 8th July 2010
at 6.00 p.m.

PRESENT:-

Conservative Group

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

Labour Group

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

Independent / Non-Grouped Member

Councillor Pabla.

CL/24. **FORMER DISTRICT COUNCILLOR MRS. ROMA WALTON AND MR. JOHN WALTON**

Members observed a minute's silence in memory of former District Councillor Mrs. Roma Walton and her husband Mr. John Walton, who had both passed away recently. The Chairman of the Council lead the tributes, which were supported by a number of other Members, who spoke about Roma's public service, her charity work, her role as a school teacher and her work for the Hilton area. Tributes were also paid to Mr. John Walton. Details were provided of the funeral arrangements.

APOLOGY

An apology for absence from the Meeting was received from Councillor Taylor (Labour Group).

CL/25. **MINUTES**

The Open Minutes of the Annual Meeting of the Council held on 20th May 2010 (Minutes Nos. CL/1 - CL/20), of the Civic Meeting of the Council held on 27th May 2010 (Minutes Nos. CC/1 – CC/4) and of the Extraordinary Meeting of the Council held on 28th June 2010 (Minute No. CL/23) were taken as read, approved as true records and signed by the Chairman.

CL/26. **PRESENTATION TO MR. PHILLIP KING**

The Chairman welcomed Phillip King from the County Music Partnership. He thanked Mr. King for the tremendous support he had given to the authority over a number of years. The Chairman referred to his role as a teacher at The

William Allitt School, his involvement in the South Derbyshire Music Centre and the Choir Cantabile. The Chairman referred to his position at Derbyshire County Council, the charity concerts and the musical exchange visits between Derbyshire and Toyota City students.

A number of other Members of Council also paid tribute to Mr. King's service to the area, both for the William Allitt School and the South Derbyshire Music Centre. Mr. King thanked Members for the kind words, speaking of the development of the Music Centre and the tremendous talent within the South Derbyshire area. He acknowledged the support from the Council and explained his plans after retirement to continue with some consultancy work and support for the Music Centre. A gift was presented to Mr. King in recognition of his service.

CL/27. **PRESENTATIONS TO VOLUNTARY ORGANISATIONS**

The Chairman made presentations on behalf the South Derbyshire Partnership and the Council to representatives of voluntary groups. This was to recognise their contribution to life in South Derbyshire. Certificates were presented to the Castle Gresley Youth Project, Dance Aloud, Our Monkey Club, Ticknall Youth Group and Youth of Hatton. A certificate would also be forwarded to the Athenaeum of Melbourne.

CL/28. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had circulated extracts from his diary, giving details of recent events attended. He reported that Sergeant Alan Dennis, a resident of Melbourne, who was serving with the Mercian Regiment, had been awarded the Conspicuous Gallantry Cross. He announced that the World Cup themed dress down days had raised £240 for the Chairman's Charity appeal. He spoke of his attendance at the Etwall Eagles Swimming Gala and paid tribute to a local swimmer who was expected to compete in the 2012 Olympics. The Chairman referred to the 50th Wedding Anniversary of Councillor Bale and gave birthday wishes to Councillor Ford. The Chairman also spoke about his attendance at the County Show, at the Festival of Leisure and about a new flag, which would be flown to commemorate Armed Forces Day. Finally, the Chairman reported on the approach adopted to encourage better quality design for development projects and the issue of the first certificate to the developer of properties in Station Road, Melbourne.

CL/29. **LEADER'S ANNOUNCEMENTS**

The Leader explained plans to display a picture of Her Majesty the Queen in the Council Chamber and advised that in future, the St. George's flag would be flown on St. George's Day. He referred to the public meeting held on traveller issues and thanked Jack Twomey of Environmental Services for his assistance. The Leader also thanked Officers at the Rosliston Forestry Centre, following the recent, successful business breakfast meeting and he referred to the useful presentations made to a number of small and medium businesses. The Leader also praised the Youth for Christ organisation, referring to their recent voluntary work at Castle Court in Castle Gresley.

CL/30. **HEAD OF PAID SERVICE ANNOUNCEMENTS**

The Chief Executive confirmed that the Mercian Regiment had accepted the offer of the Freedom of the District of South Derbyshire. This would take place formally at an Extraordinary Meeting of the Council to be held on 11th November 2010. It would entitle the Regiment to parade through Swadlincote.

CL/31. **NOTICE OF MOTION**

It was reported that in accordance with Council Procedure Rule No. 12, Councillor Wilkins had given notice of the following motion:-

“This Council notes that the Government:

- (1) plans to reduce the deficit much further and faster than the Labour Government with the consequent threat to the recovery and greater damage to public services:
- (2) has chosen to increase V.A.T., a regressive tax bearing hardest on the least well-off:
- (3) has frozen child benefit, cut disability benefit and housing benefit, abolished free swimming, and abandoned the free school meals programme, which helps many South Derbyshire children:
- (4) and in so doing has penalised people on low and middle incomes while refusing to put a cap on the salaries and bonuses of bankers and others on grossly high incomes.

Council calls on the Government to re-think its approach and resolves as part of the consultation process announced over the spending review to engage the local community to identify priorities for the protection of local services and the local community.”

The motion was seconded and debated, with a number of Members contributing. Councillor Wilkins exercised the right of reply and the motion was put to a vote.

RESOLVED:-

That the motion is not carried.

Note: Members of the Labour Group wished it to be recorded that they had voted against this decision.

CL/32. **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:-

Planning Committee, 8th June 2010 (Minutes Nos. PL/1 - PL/11)

Environmental and Development Services Committee, 10th June 2010 (Minutes Nos. EDS/1 - EDS/10)

Standards Committee, 15th June 2010, (Minutes Nos. SC/1 – SC/10)

Housing and Community Services Committee, 17th June 2010 (Minutes Nos. HCS/1 – HCS/9)

(Members recorded their congratulations to Housing staff following the recent announcement by the Department for Communities and Local Government that South Derbyshire tenant satisfaction was joint highest in the East Midlands and one of the highest in the Country.)

Licensing and Appeals Sub-Committee, 23rd June 2010 (Minute No. LAS/1)

Finance and Management Committee, 24th June 2010 (Minutes Nos. FM/1 – FM/10)

Finance and Management Committee (Special), 29th June 2010 (Minutes Nos. FM/18 - FM/22)

Overview and Scrutiny Committee, 30th June 2010 (Minutes Nos. OS/1 – OS/8)

(Minute No. OS/7 – The Chairman highlighted the recommendations being made to amend the Overview and Scrutiny Procedure Rules, relating to the new role on the Regulation of Investigatory Powers Act.

With reference to Minute No. OS/3, it was requested that information be provided to all Members of the Council on the numbers of people that had taken up the offer of free swimming at both the Etwall and Green Bank Leisure Centres. Further information was sought on the decommissioning costs for the old Etwall Leisure Centre.

Under Minute No. OS/8, a Member requested that further information be supplied on the list of funded voluntary organisations and their service level agreements, related to a review within the Committee's work programme.)

CL/33. **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/34. **COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS**

It was noted that Councillor Stanton had resigned as Vice-Chairman of the Environmental and Development Services Committee and he was thanked for his service in that role.

RESOLVED:-

That Councillor Watson be appointed Vice-Chairman of the Environmental and Development Services Committee.

CL/35. **COMPOSITION OF SUBSTITUTE PANELS**

There were no amendments to the compositions of Substitute Panels.

CL/36. **REPRESENTATION ON OUTSIDE BODIES**

Further to Minute No. CL/13 of the Annual Council Meeting held on 20th May 2010, it was reported that a review had taken place of the schedule of persons nominated to serve on outside bodies. A revised document had been circulated for Council's consideration and Officers were thanked for the work undertaken on this review. A verbal update was given that Councillor Mrs. Wheeler M.P. had been replaced by Councillor Wheeler as the representative on The Local Government Information Unit. It was questioned where the Council had service level agreements with organisations, if nominations were made for Members to serve on these outside bodies. This would need to be researched and would be reported back to a subsequent Council Meeting.

RESOLVED:-

That Council approves the schedule of Outside Body representatives for 2010/11, as set out at Annexe 'A' to these Minutes, subject to further research regarding representation on organisations that have service level agreements with the Council.

CL/37. **MEMBER CHAMPIONS**

The Leader of the Council reported on proposed Member Champion roles and the Members to be appointed to each of these roles. Following the discussion at a recent Finance and Management Committee, it was questioned if a Member Champion should also be appointed for Health and Safety.

RESOLVED:-

(1) That the following Member Champions be appointed:-

<u>Member Champion Role</u>	<u>Appointed Member</u>
<i>Equalities and Diversity</i>	<i>Councillor Mrs. Patten</i>
<i>Performance and Data Quality</i>	<i>Councillor Harrison</i>
<i>Design (Planning)</i>	<i>Councillor Bale</i>
<i>Historic Environment</i>	<i>Councillor Bladen</i>
<i>Arts and Culture</i>	<i>Councillor Hewlett</i>
<i>Consultation, Communication and Engagement</i>	<i>Councillor Murray</i>
<i>Procurement/Business Improvement</i>	<i>Councillor Murray</i>
<i>Information Technology</i>	<i>Councillor Roberts</i>
<i>Risk Management</i>	<i>Councillor Watson</i>

**Young People
Older People
Voluntary and Community Sector
Training**

**Councillor Bale
Councillor Mrs. Farrington
Councillor Mrs. Farrington
Councillor Lemmon**

- (2) That further consideration be given to the role of Member Champion for Health and Safety, at a future Meeting.**

CL/38. LOCAL GOVERNMENT OMBUDSMAN – ANNUAL REVIEW 2009/10 AND RECENT DEVELOPMENTS TO THE OMBUDSMAN SERVICE

A report was submitted to inform Members of the Local Government Ombudsman's (LGO) Annual Review for the period 2009/10. This provided statistical data on the complaints received against the Authority, which were set out as an appendix to the report. It covered the enquiries and complaints received, complaint outcomes and liaison with the LGO. The report also brought Members up to date on developments in the LGO service, in relation to the "Council First" procedure for complaints and the proposal to use statements of reasons relating to decisions of the LGO, following the investigation of complaints. Members acknowledged the positive report and thanked Officers for the work undertaken.

RESOLVED:-

That Council accepts the Local Government Ombudsman's Annual Review for 2009/10 and notes the further developments to the Ombudsman Service.

CL/39. ELECTORAL REVIEW OF SOUTH DERBYSHIRE

A report was submitted to consider the Council's response to the draft recommendations of the Local Government Boundary Commission for England on the new electoral arrangements for South Derbyshire. The formal submission had been approved by the Council in January 2010. On 25th May 2010, the Commission published its draft recommendations, on which comments were invited by 19th July 2010. A copy of the report and accompanying maps had previously been circulated to all Members. A summary of the report, together with a table outlining proposals for thirty-six Councillors, serving fifteen wards, were appended to the report. The main changes were then outlined within the report.

RESOLVED:-

- (1) That Council notes that both political groups will be submitting separate responses directly to the Local Government Boundary Commission for England on its draft recommendations.**
- (2) That, in view of (1) above, the Council does not wish to make any further representations and awaits the final recommendations in due course.**

CL/40. **ANNUAL REPORT 2009/10**

The Council's draft Annual Report for 2009/10 was submitted. This drew upon the first year of the Council's Corporate Plan, end of year performance reports and financial out-turn figures. It built on and developed the work done in the last two annual reports, capturing the outcomes from the work done by the Council and in partnership with other organisations over the past year. A number of highlights were set out within the covering report. It was important for the Council to continue to inform the community, businesses and partners on the work that had been completed and plans for the future. The Annual Report would be launched on the Council's website, with limited printed copies being made available. Congratulations were recorded to the Officers involved for the Annual Report.

RESOLVED:-

That the draft Annual Report for 2009/10 be approved.

CL/41. **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 Annual Meeting of the Council held on 20th May 2010 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:-

Planning Committee, 8th June 2010

Environmental and Development Services Committee, 10th June 2010

Standards Committee, 15th June 2010

Housing and Community Services Committee, 17th June 2010

Licensing and Appeals Sub-Committee, 23rd June 2010

Finance and Management Committee, 24th June 2010

Finance and Management Committee, (Special) 29th June 2010

N. ATKIN

CHAIRMAN