



F. McArdle
Chief Executive

Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for: Democratic Services
Phone: (01283) 595722 / 595848
Minicom: (01283) 595849
DX 23912 Swadlincote
Email :
democraticservices@south-derbys.gov.uk

Date: 15 May 2014

Dear Councillor,

Council

A Meeting of the **Council** will be held in the **Council Chamber**, on **Thursday, 15 May 2014** at **18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Conservative Group**

Councillor Mrs. Hood (Chairman) Councillor Murray (Vice-Chairman) and Councillors Atkin, Bale, Mrs. Brown, Ford, Mrs. Hall, Harrison, Hewlett, Jones, Lemmon, Mrs. Patten, Mrs. Plenderleith, Roberts, Smith, Stanton, Mrs. Watson, Watson and Wheeler.

Labour Group

Councillors Bambrick, Bell, Chahal, Dunn, Frost, Mrs. Heath, Mrs. Mead, Mulgrew, Pearson, Rhind, Richards, Shepherd, Southerd, Stuart, Taylor, Tilley, and Wilkins.



AGENDA

Open to Public and Press

- 1 Apologies
- 2 A presentation from David Dalby (Cabinet Office) with regard to Individual Electoral Registration.
- 3 To confirm the Open Minutes of the Meeting held on 03.04.14 (Mins nos. CL/88 - CL/97).
Open Minutes **5 - 8**
- 4 To note 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 of the Council 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 To receive and consider the Open reports of the following Committees:

Etwall Area Forum 28.01.14 EA/18 - EA/26 **9 - 14**

Finance and Management 20.03.14 FM/98 - FM/105 **15 - 18**

	Planning 25.03.14 PL/86 - PL/96	19 - 22
	Licensing and Appeals 02.04.14 LA//38	23 - 23
	Environmetal & Development Services 10.04.14 EDS/51 - EDS/58	24 - 26
	Planning 15.04.14 PL/98 - PL/105	27 - 29
	Housing and Community Services 17.04.14 HCS/50 - HCS/55	30 - 32
	Finance and Management 24.04.14 FM/109 - FM/115	33 - 35
12	Political Composition.	36 - 38
13	To appoint Members to serve on Committees & Sub-Committees for the ensuing year.	39 - 43
14	Substitute Panels	44 - 45
15	Outside Bodies.	46 - 48
16	Member Champions.	49 - 49
17	To appoint the Chairmen for the following Area Forums:- Etwell, Linton, Melbourne, Newhall, Repton and Swadlincote Area Forums.	
18	Sealed Documents Report	50 - 50



19	The Overview and Scrutiny Committee Annual Report.	51 - 56
20	Scheme Of Delegation Report	57 - 73

Exclusion of the Public and Press:

- 21 The Chairman may therefore move:-
That in accordance with Section 100 (A) of the Local Government Act 1972 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.
- 22 To Confirm the Exempt Minutes of the Meeting held on 03.04.14 (Mins nos. CL/98 - CL/99).
Exempt Minutes
- 23 To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 24 To receive and consider the Exempt reports of the following Committees:-
Finance and Management 20.03.14 FM/106 - FM/108
Planning 25.03.14 PL/97
Licensing and Appeals 02.04.14 LAS/39 - LAS/40
Environmental & Development Services 10.04.14 EDS/59
Housing and Community Services 17.04.14 HCS/56
Finance and Management 24.04.14 FM/116 - FM/118

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way, Swadlincote
on 3rd April 2014
at 6.00 p.m.

PRESENT:-

Conservative Group

Councillor Mrs. Hood (Chairman), Councillor Murray (Vice-Chairman) and Councillors Atkin, Bale, Mrs. Brown, Ford, Mrs. Hall, Harrison, Hewlett, Jones, Lemmon, Mrs. Patten, Mrs. Plenderleith, Roberts, Smith, Stanton, Mrs. Watson, Watson and Wheeler.

Labour Group

Councillors Bambrick, Bell, Chahal, Dunn, Frost, Mrs. Heath, Mrs. Mead, Mulgrew, Rhind, Richards, Shepherd, Southerd, Stuart, Taylor, Tilley and Wilkins.

CL/88 **APOLOGY**

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

CL/89 **MINUTES**

The Open Minutes of the Meeting of the Council held on 3rd March 2014 (Minute Nos. CL/71 – CL/85) were taken as read, approved as a true record and signed by the Chairman.

CL/90 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reported that she had recently attended the march through the town of Ashbourne by the Mercian Regiment, who had been given Freedom of the District. She had also attended the opening of the new Maseys store and the Padley Centre event at Derby University. She had also enjoyed afternoon tea with Queen Elizabeth I actor at Tutbury Castle.

CL/91 **HEAD OF PAID SERVICE ANNOUNCEMENTS**

The Head of Paid Service advised that Related Party Transactions correspondence would be sent to members and should be returned by 30th April 2014.

He advised that officers were looking at a way to ensure meetings were continuous for Safer Neighbourhood and Area Forum meetings, and this matter may come back to Members, as they are statutory meetings.

He also advised, following the restructure of the Community and Planning Directorate, to assist Members, a document was to be issued to all Members with photographs and numbers of Officers.

CL/92 **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:-

Finance and Management Committee, 20th February 2014 (Minute Nos. FM/83 – FM/91).

Licensing and Appeals Sub-Committee, 3rd March 2014 (Minute Nos. LAS/31 – LAS/32).

Licensing and Appeals Sub-Committee, 3rd March 2014 (Minute Nos. LAS/35 – LAS/37).

Environmental and Development Services Committee, 6th March 2014 (Minute Nos. EDS/39 – EDS/49).

(Minute No. ED/46 – Councillor Taylor requested that the minutes be amended to reflect the secondary school reference was to a provision for a secondary school, not a singular school.

Councillor Taylor wished for it to be noted the secondary school provision was debated at the Committee meeting, with discussion of the school being where the properties and children are).

Housing and Community Services Committee, 13th March 2014 (Minute Nos. HCS/41 – HCS/48).

Area Forums

Linton, 29th January 2014 (Minute Nos. LA/18 - LA/26).

Swadlincote, 4th February 2014 (Minute Nos. SA/19 – SA/27).

Newhall, 5th February 2014 (Minute Nos. NA/17 – NA/25).

Repton, 17th February 2014 (Minute Nos. RA/8 – RA/16).

Melbourne, 18th February 2014 (Minute Nos. MA/17 – MA/25).

CL/93 **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/94 **CORPORATE ACTION PLAN 2014/15**

It was reported the Council had approved a five-year Corporate Plan covering the period 2010 to 2015. Quarterly performance reports were taken to Policy Committees to monitor progress against the Plan. The refreshed Action Plan for 2014/15 set out the priorities for the year ahead along with the projects and the key measures of success that will be support the delivery of the Plan.

The report set out the Council adopted the Corporate Plan in February 2009. The Plan contains the Council's vision, values and priorities over the four Council themes of:

- Sustainable Growth & Opportunity
- Safe and Secure
- Lifestyle Choices
- Value for Money

The report outlined during January 2014, Officers had been involved in a series of facilitated workshops to refresh the Corporate Action Plan. Each workshop focussed on addressing one of the four themes within the Corporate Plan. The sessions held had been challenging and focussed on improving service delivery within the resources available. Each workshop included a review of the:

- past year performance against priorities.
- issues coming out of recent consultations and national policy.
- financial position and budgets available to deliver these priorities.

As a result, the priorities in each theme were updated along with the refreshment of projects and measures that will form the basis of the Corporate Action Plan for 2014/15.

RESOLVED:-

That the updated Corporate Action Plan for 2014/15 be approved.

CL/95 **PAY POLICY STATEMENT 2014/15**

It was reported the Localism Act 2011 (the Act) requires all local authorities, to publish annually a Pay Policy Statement. The purpose of the report was to seek approval for the Council's Statement for the year 2014/15. This would then be published on the Council's website in accordance with the Act. This was the third annual statement since the introduction of the Act.

RESOLVED:-

That the draft Pay Policy Statement for the financial year 2014/15 be approved for publication.

CL/96 **AMENDMENT TO COUNCIL PROCEDURE RULES – RECORDED VOTES AT BUDGET MEETINGS**

The report advised Council on The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 which made it mandatory for

recorded votes to be taken at budget meetings. The Regulations came into force on 25th February 2014 and made it mandatory for Councils, as soon as practicable, to amend their Standing Orders so as to include provisions requiring recorded votes at budget meetings.

RESOLVED:-

That the wording of the Council's Procedure Rules be amended in order to comply with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

CL/97 **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 3rd March 2014 (Minute Nos. CL/86 – CL/87), 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:-

Finance and Management Committee, 20th February 2014 (Minute Nos. FM/92 – FM/97).

Environmental and Development Services Committee, 6th March 2014 (Minute No. EDS/50).

Housing and Community Services Committee, 13th March 2014 (Minute No. HCS/49).

Licensing and Appeals Sub-Committee, 3rd March 2014 (LAS/33 – LAS/34).

A. HOOD

CHAIRMAN
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SOUTH DERBYSHIRE AREA FORUM

ETWALL

28th January 2014 at John Port School

PRESENT:-

District Council Representatives

Councillors Mrs. Brown (Chairman) and Councillors Roberts; Bale; Lemmon and Mrs Patten

R Ledger (Director of Housing and Environmental Services) & C Smith (Safer Communities Manager).

Derbyshire County Council Representatives

Councillor Mrs Patten.

P Jameson (Forum Liaison Officer).

Parish Council/Meeting Representatives

R Brooks (Hilton Parish Council); Steve Cooper (Hilton Parish Council); Ian Bennett; Tim Day; N Ireland and D Muller (Etwall Parish Council); M Pateman and G S Nichols (Dalbury Lees Parish Council); M Nesbitt and S Nesbitt (Egginton Parish Council)

Members of the Public

B Morley; B Myring; G Wale and C Pidgeon; A Billings; C Bore

EA/18 **APOLOGIES**

Apologies for absence were received from Councillors M Ford and Mrs Plenderleith; T Beresford; B Payton

EA/19 **DECLARATIONS OF INTEREST**

None

EA/20 **CHAIRMAN'S ANNOUNCEMENTS**

Draft Local Plan comments have been collated and currently being considered. Pre-Submission Plan to be consulted on in March through into April. The pre-submission consultation will go to a venue in each of the Area Forum areas for an afternoon/evening drop in session. The Local Plan will be submitted in June with a public examination likely to be in the autumn this year.

Housing Stock Survey - The field work is complete, the report is being compiled and should be ready by March. This report, once agreed, will then be used to help formulate our various strategies in relation to our housing stock.

The chairman confirmed the damaged swing was replaced and paid for by SDDC. The cost of replacing the swing was £102.

The location of meetings will be added onto future minutes.

Cllr Brown read from a Derby Evening Telegraph article on the Railhead development.

The Pig farm application is still being assessed by Environment Agency on the waste elements.

EA/21 **MINUTES**

The minutes from the previous meeting were agreed as a true record.

EA/22 **REPORT BACK ON ISSUES RAISED AT THE LAST MEETING**

Digital Derbyshire – The Forum Liaison Officer has met up with the Broadband Project Manager, following the request made at the last meeting for a specialist officer to attend to talk about the broadband programme. Following some discussion, it was agreed that she could attend a future meeting of the forum to field questions on the project.

It should be stressed that the Manager is making an exception for the Etwall Area Forum, given the high level of interest the forum has shown in broadband, over a period of time. Unfortunately she was unable to attend tonight's meeting; Tuesday in particular is a day where she will struggle to attend an evening meeting.

The Forum Liaison Officer asked the district to put forward a number of possible dates for the next meeting so that he can discuss them with the Broadband Project Manager and hopefully ensure her attendance at the next forum.

Gold Card renewal application forms are no longer on the Council Website; you would now need to contact the Civic Offices.

Tetra pack recycling – The Chairman advised that South Derbyshire District Council would hope at some time in the future to widen the range of materials that could be recycled within the doorstep scheme and this may include tetrapaks.

There are currently a number of bring sites where tetrapaks can be recycled. . These centres are located at Linton – Main St, Rink Drive – Swadlincote,

Willington – Twyford Road, Hatton – Station Road, Melbourne – High St – Car park and Overseal – Woodville Road

A company called “Requesto” collect the waste. They are based in Kirkby in Ashfield. The material then goes to Recycling UK in Nantwich and finally ends up in Sweden where it is made into plasterboard.

EA/23 **PUBLIC QUESTIONS ON ISSUES RAISED BY RESIDENTS**

It was raised that the amount of space in recycling bins is not adequate. The Chairman gave a response that had been given by SDDC officers; cardboard can be placed at the side of the relevant bin or jammed between the outside wheel and the body of the bin. This acts as an “anchor”.

The Director of Housing and Environmental services stated that the Council are new to recycling and they may not have the perfect answer yet but are looking for the best possible solution to recycling. Complaints on the size of the bins have been low and there has to be a compromise of number of receptacles a households can have. Throughout the 8 year contract the Council will look to increase facilities. The old green bins can be used for overflow of cardboard.

A resident asked about food waste and problem of maggots in the summer, the Director of Housing and Environmental Services confirmed that residents do need to be careful in summertime and advice was given to wrap food waste in paper first.

A resident stated that at a recent meeting at John Port School a planning application had been discussed. At the end of meeting the developer said he was going to approach SDDC to unify the date of the whole matter. He asked if Councillors could support the developer’s request of having all the applications submitted at the same time. The Chairman stated that as Councillors they could not comment on existing planning applications.

A resident asked if the Hackwood farm development was an SDDC issue. Cllr Bale commented that it was only as an adjoining consultee on the current application.

A Hilton Parish Councillor appealed to SDDC planning department about maintaining small areas of open space on development sites which are owned initially by developers. The Director of Housing and Environmental Services stated that Section 106 means the responsibility for such areas now gets passed to District Council. The existing complication is from years ago when this wasn’t included as part of the planning process.

The Safer Communities Manager provided feedback on the parking issue at Chestnut Grove, Etwall on behalf of Cllr Martin Ford who couldn't attend the meeting. Councillor Ford had visited the location with Simon Tilley from DCC Highways to see if the parking area could be made larger as it's a safety hazard. It was established that the matter couldn't be looked at as a parking issue but could be considered as a highway safety issue.

EA/24 **COUNTY COUNCIL ISSUES**

The Forum Liaison Officer stated that the County Council needs to make £157m of cuts to its budgets by 2018 – something they are calling 'The Derbyshire Challenge'. Their Cabinet has been considering proposals on how they can make these reductions; they are looking to make cuts totalling around £36.7m in the next financial year (2014/15).

Many of the budget reductions being announced will be subject to public consultations. You can visit the 'Derbyshire Challenge' page of their website to find out more and take part in our consultations launching throughout the year – www.derbyshire.gov.uk/challenge.

The Forum liaison officer highlighted two of the consultations currently open. Firstly, are changes to the Mobile Library Service; several options are being considered to make savings to this service which currently costs in the region of £720,000 per year to run. Four options have been put forward. One is to scrap the service completely (which will obviously make a saving of £720,000 per year). A further two options have been put forward which will involve various reductions in the fleet in order to make savings – they currently have a fleet of 10 vehicles; 2 MCV's (maximum capacity vehicles) and 8 standard mobile libraries. A fourth option is to transfer the service over to community based organisations. The consultation started on 13 January and ends 1 March 2014.

Members of the public can visit the 'challenge' webpage to find out more information and complete the online survey. For those without internet access, you can contact Call Derbyshire – 01629 533190 – to find out more.

DCC are also proposing a number of changes to the Adult Care services. The consultation launches today and will run for 12 weeks. Again, more information will be made available via the 'challenge' webpage.

The Chairman stated that the mobile libraries provide a community hub for many people, a 'social service'. The forum agreed that the possible loss of this service is deeply concerning.

A resident commented that there are many more people living in urban areas – who live close to a library – compared to the number of people living in rural areas. For those in urban areas the loss of the mobile library service would not affect them; they may say we should get rid of the service and this could far outweigh the number of responses from rural residents wishing to keep it.

A resident asked if the consultation includes details of where the service is provided – i.e. which villages in the do the mobile libraries currently serve. It would be helpful for residents to have this information so that they know what they are potentially losing.

Action: Paul to let meeting know where the library van goes and when

A concern was raised that the consultation is on-line and broadband is poor in the area.

EA/25 **DISTRICT COUNCIL ISSUES**

The Director of Housing and Environmental services gave an update on the District Council **Budget** setting Process:

Nationally, there has been a reduction in government funding for local councils since 2010 and this is currently set to continue until 2018. For SDDC this has been approximately £1.25m to date or 20% from where we were in 2010/11 (*net after New Homes Bonus and Business Rates Retention*)

SDDC has been delivering budget savings since 2010 and has had 3 main phases, culminating this year with savings of £320k. Next financial year 2014/15 is ok but need another round to find further savings of up to £300k before this time next year ahead of 2015/16.

No major reductions in mainstream service provision so far – reductions in management and support services, together with general efficiencies have met the shortfall to-date. There has been an increase in services – recycling and capital investment in leisure facilities.

Next year's Council Tax still to be decided – Government offering some support for councils who freeze Council Tax again for a 4th year.

Possible future pressures – growth and demand for services – some will be paid for by increased funding but this is not certain.

The Chairman announced that the Council Tree Officer Martin Buckley had hoped to attend this meeting to give an update on the **Ash Dieback** situation but was unable to make it. He will attend a future meeting.

EA/26 **DATE OF NEXT MEETING**

The date of the next Meeting would be confirmed in due course.

MRS L BROWN

CHAIRMAN

The Meeting terminated at 7.28pm

FINANCE AND MANAGEMENT COMMITTEE

20th March 2014

PRESENT:-

Conservative Group

Councillor Wheeler (Chairman), and Councillors Hewlett (substitute for Councillor Lemmon), Jones, Murray, Smith, Stanton (substitute for Councillor Mrs. Watson) and Watson.

Labour Group

Councillors Bell, Rhind, Richards, Southerd, Taylor and Wilkins.

In Attendance

Councillors Atkin and Harrison (Conservative Group)

FM/.98 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Lemmon and Mrs. Watson (Conservative Group).

FM/.99 **MINUTES**

The Open Minutes of the Special Meetings held on 16th January and 27th January 2014, were taken as read, approved as true records and signed by the Chairman.

FM/.100 **DECLARATIONS OF INTEREST**

Councillors Bell, Richards, Southerd and Stanton declared an interest in Minute Number 108 as Members of the Planning Committee.

MATTERS DELEGATED TO COMMITTEE

FM/.101 **CORPORATE PLAN 2009 TO 2014: PERFORMANCE MANAGEMENT REPORT (1ST OCTOBER 2013 – 31 DECEMBER 2013)**

A report was submitted on performance for the period 1st October 2013 to 31 December 2013, in relation to the Council's Corporate Plan 2009-14.

The report and appendices gave detail on the progress and achievements during the period 1st October to 31 December 2013. Details were provided in the report and appendices of the key projects, performance measures and an overview of the number of accidents which occurred within the Council during the quarter.

Members asked questions regarding Health and Safety and Accident Statistics.

RESOLVED:-

- (1) That the progress and achievements during the period 1st October – 31st December 2013 in relation to the Council's Corporate Plan be noted.***
- (2) Review where progress has failed to achieve the specified target and consider the adequacy of the remedial action taken.***
- (3) Receive a quarterly overview of the number of accidents as part of the Council's Health and Safety performance management framework.***

FM/102 **CORPORATE ACTION PLAN 2014/15**

A report was submitted for Members to approve the Corporate Action Plan for 2014/15. A refreshed Action Plan for 2014/15 was considered which set out the priorities for the year ahead along with the projects and the key measures of success that will support the delivery of the Plan.

Background information was provided, together with the process for refreshing the Corporate Action Plan. During January 2014, Officers completed this through a series of facilitated workshops. Each workshop focussed on addressing one of the four themes within the Corporate Plan. The sessions held had been challenging and focussed on improving service delivery within the resources available. As a result, the priorities in each theme had been updated along with the refreshment of projects and measures that would form the basis of the Corporate Action Plan for 2014/15.

RESOLVED:

That the updated Corporate Action Plan for 2014 / 15 be approved

FM/103 **BUDGET AND FINANCIAL MONITORING 2013/14**

The latest budget and financial monitoring report was presented for the Committee's consideration. Initially, this focussed on the General Fund Revenue Account and tables showed the revised deficit of £138,675. In accordance with budget monitoring arrangements, the position on net expenditure on services continued to be reviewed. The latest monitoring figures were provided in a series of tables showing performance against budget as at January 2014 by Committee and main service area.

Following the updated Medium Term Financial Plan, which was considered by the Committee on 20th February, adjustments were made that reflected definite savings previously identified and resulted in a revised budgeted surplus for the year of £260,372, details were shown in a table in the report. In accordance with budget monitoring arrangements, the position on Net Expenditure on Services is the main area that is subject to on-going review. This is the amount that is

directly managed and controlled by the various budget holders across the Council.

Next, the report focussed on the Housing Revenue Account (HRA). Performance on the HRA was detailed in an appendix to the report and showed that it was estimated to achieve a surplus in the year of £249,406 this was due to slippage on the Planned Maintenance Programme, which did not commence until January 2014. The main variances were reported.

Capital expenditure and financing was reported and a table showed capital spending compared to the budget at January 2014. This section of the report also covered council house sales to date, land sales and General Fund receipts.

Next, the report focussed on Treasury Management, with a table and commentary explaining the HRA debt outstanding and the amounts on deposit through short-term investments. Finally, other financial indicators were reported.

The Director of Finance and Corporate Services answered questions from Members.

RESOLVED:

That the last budget and financial monitoring figures for 2013/14 are approved.

FM/.104 **WORK PROGRAMME**

The Committee was asked to review its work programme.

RESOLVED:

That the updated work programme be received.

FM/.105 **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 Special Meeting held on 16th January 2014 were received.

RESTRUCTURE OF LEGAL AND DEMOCRATIC SERVICES

The Committee approved the implementation of the restructure of Legal and Democratic Services.

At 6.40pm Councillors Bell, Richards, Southerd and Stanton left the meeting for item no.14.

LAND AT MIDWAY

Members approved the sale of residential land and construction of leisure facilities.

R. WHEELER

CHAIRMAN

PLANNING COMMITTEE

25th March 2014

PRESENT:-

Conservative Group

Councillor Ford (Chairman), Councillor Mrs. Brown (Vice-Chairman) and Councillors Bale, Mrs. Hall, Jones, Stanton and Watson.

Labour Group

Councillors Bell, Dunn, Pearson, Richards, Shepherd and Southerd.

In attendance

The following Members also attended the Meeting and, with the approval of the Chairman, spoke to the Minutes. Councillor Atkin, Councillor Frost and Councillor Taylor.

PL/.86 **MINUTES**

The Open Minutes of the Meetings held on 21st January and 11th February 2014 were taken as read, approved as true records and signed by the Chairman.

MATTERS DELEGATED TO COMMITTEE

PL/.87 **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/.88 **THE ERECTION OF 2 DWELLINGS INCLUDING NEW SHARED PRIVATE ACCESS DRIVE ON LAND TO THE REAR OF BRYMAR & WEGEN WOODSHOP LANE, SWARKESTONE, DERBY 9/2013/1050/FM**

It was reported that Members of the Committee had visited the site prior to the Meeting. J. James (agent) and B. Wolsey (on behalf of objectors) attended the Meeting and addressed Members on this application. The Planning Services Manager reported latest advice from Derby City Council.

RESOLVED:-

That Planning Permission be refused on grounds of inappropriate design in a conservation area and adverse effect on amenity of neighbours both contrary to policy.

- PL/.89 **THE CONVERSION OF GARAGE INTO LIVING ACCOMMODATION AND THE ERECTION OF A NEW GARAGE HOBBY ROOM WORKSHOP WITH ASSOCIATED NEW ACCESS DRIVE AT BRYMAR WOODSHOP LANE, SWARKESTONE, DERBY 9/2013/1051/FH.**

It was reported that Members of the Committee had visited the site prior to the Meeting. J. James, Montague Architects (agent) attended the Meeting and addressed Members on this application.

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Director of Community and Planning Services.

- THE ERECTION OF 4 NO. TWO STOREY DWELLINGS AND 2 NO. SINGLE STOREY DWELLINGS ON LAND TO THE REAR OF OVERSEAL MANOR STABLES HALL CROFT AVENUE OVERSEAL SWADLINCOTE 9/2014/0090/FX**

Members requested a site visit for this application before the application is considered.

RESOLVED:-

Deferred for a site visit

- PL/.90 **THE VARIATION OF CONDITION 1 OF PLANNING PERMISSION 9/2010/0464 TO EXTEND THE PERIOD OF TEMPORARY CONSENT AT NADEE INDIAN CUISINE, 130 HEATH LANE, FINDERN, DERBY 9/2013/1052/B**

Mr. Diffey (agent) attended the Meeting and addressed Members on this application.

RESOLVED:-

That planning permission be granted for the reasons set out in the report of the Director of Community and Planning Services.

- PL/.91 **OUTLINE APPLICATION (ALL MATTERS RESERVED EXCEPT FOR ACCESS) FOR RESIDENTIAL DEVELOPMENT OF UP TO 40 DWELLINGS WITH MEANS OF ACCESS FROM LONGLANDS ON LAND AT SK3126 1562 LONGLANDS REPTON 9/2013/0643/OS.**

It was reported that Members of the Committee had visited the site prior to the Meeting. Mr. Louth, Turley Associates (agent) attended the Meeting and addressed Members on this application

RESOLVED:-

That planning permission be granted, in accordance with the recommendation set out in the report of the Director of Community and Planning Services.

PL/.92 **THE ERECTION OF TWO CALVING SHEDS, A STORAGE BARN AND
TIMBER LODGE FOR USE AS FARMWORKER’S DWELLING PLUS
ASSOCIATED ACCESS TRACKS AT BLACKBERRY FARM, SUTTON
ROAD, CHURCH BROUGHTON, DERBY. 9/2013/0762/NO**

Mr. Tunstall, (applicant) attended the Meeting and addressed Members on this application.

RESOLVED:-

That planning permission be refused for the reasons set out in the report of the Head of Community and Planning Services.

PL/.93 **THE RELOCATION OF BOUNDARY FENCE TO EDGE OF PAVEMENT AT
60 FALCON WAY, WOODVILLE, SWADLINCOTE. 9/2014/0014/FH**

It was reported that Members of the Committee had visited the site prior to the Meeting.

RESOLVED:-

That planning permission be refused on the grounds that it would have an adverse effect on street scene.

PL/.94 **THE POLLARDING OF AN ASH TREE COVERED BY SOUTH
DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO.
132 AT WILSON CLOSE MICKLEOVER, DERBY 9/2014/0128/TP**

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Director of Community and Planning Services.

PL/.95 **APPEAL DECISIONS**

The contents of the following reports were noted:-

Appeals Dismissed

- a) The erection of 2 dwellings, Hatton Lodge, Uttoxeter Road, Hatton, Derby.
- b) Barn Conversion with kitchen extension on the side, 136 Main Street, Repton, Derby, DE65 6FB

PL/.96 **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 Meetings held on 11th February 2014.

M. FORD

CHAIRMAN

LICENSING AND APPEALS SUB-COMMITTEE

2nd April 2014

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillors Watson (Chairman) and Councillors Atkin (Conservative Group) and Mrs.Heath (Labour Group).

District Council Representatives

A. Kaur (Legal & Democratic Services Manager), E. McHugh (Licensing Officer), and L. Kinsey (Democratic Services Officer).

MATTERS DELEGATED TO SUB-COMMITTEE

LAS/.38 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT ACT (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.

APPLICATION FOR A RENEWAL OF A PRIVATE HIRE DRIVER'S LICENCE (Paragraph 2)

The Sub-Committee considered an application to renew a Private Hire Driver's Licence, which was granted with standard conditions and a verbal warning.

REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE (Paragraph 2)

The Sub-Committee considered a review of an existing Private Hire Driver's Licence which was revoked with immediate effect.

P. WATSTON

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

10th April 2014

PRESENT:-

Conservative Group

Councillor Roberts (Chairman) and Councillors Mrs. Brown, Ford, Mrs. Hall, Harrison (substitute for Councillor Watson), Mrs. Patten and Stanton.

Labour Group

Councillors Chahal, Frost, Mulgrew, Shepherd (substitute for Councillor Taylor) Stuart and Tilley.

In attendance

The following Members also attended the Meeting and, with the approval of the Chairman, spoke to the Minutes. Councillors Atkin and Mrs Plenderleith.

EDS/.51 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Watson (Conservative group) and Councillor Taylor (Labour Group).

EDS/.52 **MINUTES**

The Open and Exempt Minutes of the Meeting held on 6th March 2014 were approved as a true record and signed by the Chairman.

EDS/.53 **DECLARATIONS OF INTEREST**

Councillor Stuart declared an interest at Minute No 54 (item 7 on agenda).
Councillor Ford declared an interest at Minute No 57 (item 8 on agenda).

MATTERS DELEGATED TO COMMITTEE

EDS/.54 **LOCAL PLAN - LOCAL DEVELOPMENT SCHEME**

A report was submitted for members to endorse the publication of the updated Local Development Scheme. The document set out how the council will progress the Local Plan (previously known as the Local Development Framework) over a 3 year period. The officer took members through the report informing them of the consultations already undertaken and the main areas of risks and their impacts. The next part of the report contained a schedule and timetable of proposed development plan documents, these included South Derbyshire Local Plan Part 1 (formally known as the Core Strategy) and South Derbyshire Local Plan Part 2. The final part of the report contained a schedule and timetable of proposed

supplementary planning documents including, design, Car Parking Standards and Greenway. The officer gave an overview of the above including timescales of future consultations.

Members asked questions on how resident's concerns were reflected in the finished project and the format of representations. Officers explained the consultation process and procedures.

Finally members congratulated officers on the work that had gone into the project.

RESOLVED:-

(1) That the Local Development Scheme (LDS) be endorsed for publication.

EDS/.55 **DERBYSHIRE AND DERBY CITY JOINT MUNICIPAL WASTE MANAGEMENT STRATEGY REVIEW**

A report was submitted for Members to review the Derby and Derbyshire joint Municipal Waste Management Strategy 2006 and the South Derbyshire action plan that was included within the strategy.

The Officer reported that Derby County Council had undertaken a Public Consultation to find out what residents thought of the proposed draft strategy, draft individual council waste action plans and Strategic Environment Assessment draft environment report. It was also noted that due to investment in recycling and composting South Derbyshire District Council have out-performed most of other Derbyshire authorities.

The formation of the strategy entailed an options appraisal process. The Key stages in the appraisal process were explained to members. The final part of the report summarised The South Derbyshire Action Plan.

RESOLVED:-

That the revised version of the Derbyshire and Derby City Joint Municipal Waste Management Strategy, which includes the South Derbyshire District Council Action Plan, prior to the final report being submitted for formal adoption by the Council in July 2014, be approved.

EDS/.56 **East Midlands Airport Sustainable Development Plan Consultation**

A report was submitted to obtain a Council response to East Midlands Airport Sustainable development Plan as shown in the conclusions section of the report.

Members asked questions of the officer and commented that car parking was an issue and needed to be included in the strategy, the officer confirmed this would be raised in the response.

RESOLVED:-

That the comments made under Section 8 of the report 'conclusions' be forwarded to East Midlands Airport as the Council's response to the Sustainable Development Plan consultation exercise.

EDS/.57 **WORK PROGRAMME**

The Committee considered the updated work programme.

RESOLVED:-

That the updated work programme be approved.

EDS/.58 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT ACT (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 6th March 2014 were received.

A.ROBERTS

CHAIRMAN

PLANNING COMMITTEE

15th April 2014

PRESENT:-

Conservative Group

Councillor Ford (Chairman), Councillor Mrs. Brown (Vice-Chairman) and Councillors Bale, Mrs. Hall, Hewlett (substitute for Councillor Watson), Jones, Stanton.

Labour Group

Councillors Bell, Dunn, Pearson, Richards, Shepherd and Southerd.

In attendance

The following Members also attended the Meeting and, with the approval of the Chairman, spoke to the Minutes. Councillors Frost, Mrs Patten and Mrs Plenderleith.

PL/.98 **APOLOGY**

An apology for absence from the Meeting was received from Councillor Watson (Conservative Group).

MATTERS DELEGATED TO COMMITTEE

PL/.99 **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/.100 **THE ERECTION OF 4 NO. TWO STOREY DWELLINGS AND 2 NO. SINGLE STOREY DWELLINGS ON LAND TO THE REAR OF OVERSEAL MANOR STABLES HALL CROFT AVENUE OVERSEAL SWADLINCOTE 9/2014/0090/FX**

It was reported that Members of the Committee had visited the site prior to the Meeting. Response from Environment Agency reported. Joanne Parker (Objector) and Paul Taylor (Agent) attended the Meeting and addressed Members on this application.

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Director of Community and Planning Services plus additional condition agreed by the Committee.

PL/.101 **THE ERECTION OF 33 DWELLINGS (9 4-BED HOUSES; 2 2-BED BUNGALOWS; 12 2-BED HOUSES AND 8 1- BED APARTMENTS) WITH FORMATION OF A NEW VEHICULAR ACCESS AND ASSOCIATED WORKS ON LAND AT SK3126 1679 MILTON ROAD REPTON DERBY 9/2013/1053/SMD**

David Egan (Objector) and Christopher Timothy (Agent) attended the Meeting and addressed Members on this application. An update was provided on amendments to the application and comments from the Environment Agency and Highways.

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Director of Community and Planning Services plus additional conditions agreed by the Committee.

PL/.102 **RETROSPECTIVE APPLICATION FOR THE CONTINUED SITING OF TWO PORTABLE BUILDINGS, THE RETENTION OF VAPORIZERS AND TANKS TO STORE LIQUID NITROGEN AND CARBON DIOXIDE ALONG WITH ASSOCIATED WORKS AT CRANBERRY FOODS LTD SCROPTON ROAD SCROPTON 9/2014/0044/NO**

It was reported that Members of the Committee had visited the site prior to the Meeting. Alison Wright (Applicant) attended the Meeting and addressed Members on this application. An update was provided on comments from the Environment Agency and additional information from the applicant.

RESOLVED:-

That planning permission be granted, in accordance with the recommendation set out in the report of the Director of Community and Planning Services.

PL/.103 **OUTLINE APPLICATION (ALL MATTERS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO THREE DWELLINGS ON LAND ADJACENT TO FIELD HOUSE COTON PARK LINTON SWADLINCOTE 9/2014/0078/FO**

It was reported that Members of the Committee had visited the site prior to the Meeting Mr. Steedman, (applicant) attended the Meeting and addressed Members on this application.

RESOLVED:-

That planning permission be granted, in accordance with the recommendation set out in the report of the Director of Community and Planning Services.

PL/.104 **THE DEMOLITION OF EXISTING CONSERVATORY AND ERECTION OF GARDEN ROOM AT 21 RODNEY CLOSE HILTON DERBY 9/2014/0124/FH**

RESOLVED:-

That planning permission be granted, in accordance with the recommendation set out in the report of the Director of Community and Planning Services.

PL/.105 **APPEAL DECISIONS**

The contents of the following reports were noted:-

Appeals Dismissed

Egginton Hall, Church Road, Egginton, Derby DE65 6HP

M. FORD

CHAIRMAN

The Meeting terminated at 7.20 p.m.

HOUSING AND COMMUNITY SERVICES COMMITTEE

17th April 2014

PRESENT:-

Conservative Group

Councillor Hewlett (Chairman) and Councillors Ford, Mrs.Hall (substitute for Councillor Lemmon) Harrison, Mrs. Hood, Roberts (substitute for Councillor Murray) and Smith.

Labour Group

Councillors Frost, Mrs. Heath, Mulgrew, Rhind, Richards and Shepherd.

In attendance

Councillor Taylor (Labour group).

HCS/.50 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Lemmon and Murray (Conservative Group).

HCS/.51 **MINUTES**

The Open Minutes of the Meeting held on 13th March 2014, were taken as read, approved as a true record and signed by the Chairman.

MATTERS DELEGATED TO COMMITTEE

HCS/.52 **MOBILE HOMES ACT 2013 – LICENSING OF RESIDENTIAL PARK HOMES**

A report was submitted to inform members of the changes to the Mobile Homes Act 2013 including the introduction of fees and charges and additional enforcement powers for local authorities.

The Officer explained that there were 2 significant changes those being:

1. The option for local authorities to charge,
2. The local authority would now be able to issue compliance notices for breach of conditions attached to a licence.

It was noted that there were currently 20 park homes within South Derbyshire, charging would enable the council to recover some costs associated with the licensing function. Based on the existing sites the annual fee income is estimated to be £3,200.

The proposed new policy was attached to the report as appendices and is based on government guidance.

Members asked questions of the Officer.

RESOLVED:-

- (1) Members approve the proposed draft Fees Policy (Appendix A) for Residential Park Home Sites as a basis for wider consultation.**
- (2) That authority is given to the Director of Housing and Environmental Services in consultation with the Chair of this Committee, to agree any minor amendments to the draft policy arising from wider consultation prior to implementation from April 2015. Any proposed material amendments will be the subject of a further report to Committee.**
- (3) That Members approve proposals to review all the existing Site Licences and attached Conditions for all of the existing Residential Park Homes across the district and that fees are not charged as part of this review.**
- (4) Members give delegated powers to the Director of Housing and Environmental Services with regards to enforcement powers of the Caravan Sites and Control of Development Act 1960 as amended by the Mobile Homes Act 2013.**
- (5) That if no material changes are proposed following the consultation process, as assessed by the Chairman of the Committee, the Leaseholder Management Policy is adopted and implemented immediately. Any proposed material changes arising out of the consultation to be the subject of a further Committee report.**

HCS/.53 COUNCIL NEW BUILD – HCA BID AND HRA RESOURCES

A report was submitted for members to consider a proposal to submit a bid for grant funding to the Governments Affordable Housing Programme 2015-18.

The Director of Housing and Environmental Services explained that phase 1 of the new build development was making progress and that planning permission had been granted for 39 new homes across 4 sites.

A further planning application will be submitted for a site in Pennine way and whilst funding is available for this site, fewer resources would be available for subsequent builds, therefore there is a need to utilise external sources of funds when opportunities arise.

The report weighed up the positives and negatives of applying for a bid, the main positive being that the council would establish a track record with the Homes and Communities Agency which could open further opportunities in the future

The officer then explained that if a grant was awarded the grant earning properties would have a strict condition that they be let at affordable rents which are generally higher by at least 20% than the normal social rent, but this in turn would generate more revenue income and therefore the debt incurred could be paid off more quickly.

Finally it was proposed that a joint member/tenant HRA Business Plan working group be established with 3 members from the controlling group and 2 members from the opposition group.

Members asked questions on the report.

Councillor Rhind nominated himself and Councillor Richards to sit on the Working group from the Opposition group.

Councillor Harrison confirmed the controlling members would be put forward at the next Council meeting.

RESOLVED:-

(1) Members agree to the Council submitting a bid for grant funding to the Homes and Communities Agency (HCA) Affordable Housing Programme for 2015-18.

(2) Members approve the formation of a joint member/tenant Housing Revenue Account (HRA) Business Plan working group and appoints five Council members to the group.

HCS/.54 **WORK PROGRAMME**

Members were asked to consider the updated work programme and review its content where appropriate.

RESOLVED:-

That the updated work programme be approved.

HCS/.55 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT ACT (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 13th March 2014 were received.

J. HEWLETT

CHAIRMAN

FINANCE AND MANAGEMENT COMMITTEE

24th April 2014

PRESENT:-

Conservative Group

Councillor Watson (Vice-Chairman in the Chair) and Councillors Jones, Hewlett (substitute for Councillor Wheeler), Roberts (substitute for Councillor Lemmon, smith, Stanton (substitute for Councillor Murray) and Watson.

Labour Group

Councillors Bell, Rhind, Richards, Southerd, Taylor and Wilkins.

In Attendance

Councillors Mrs. Plenderleith and Harrison (Conservative Group).

FM/109. **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Lemmon, Murray and Wheeler(Conservative Group).

FM/110. **MINUTES**

The Open Minutes of the Meeting held on 20th February 2014 were taken as read, approved as a true record and signed by the Chairman.

MATTERS DELEGATED TO COMMITTEE

FM/111. **AUDIT SUB-COMMITTEE**

The Minutes of the Audit sub-Committee held on 19th February 2014 were submitted.

RESOLVED:-

That the Minutes of the Audit Sub-Committee Meeting held on 19th February 2014 be received and any recommendations contained therein are approved.

FM/112. **REFORMS OF DEBT RECOVERY PROCESSES**

The Committee considered a report by the Director of Finance and Corporate Services on national changes to debt recovery processes, which have been introduced recently. These are intended to place stronger controls on the operation of the bailiff and debt collection industry; and in particular, to prevent rogue operators from using unfair methods when collecting debts. The most important change has been the introduction of a so-called 'compliance stage' which allows non-enforcement activity, such as telephone calls and emails etc. before visits have to take place.

Members were reminded that the Council has a service level agreement with a bailiff company to carry out debt recovery on its behalf. They were informed that this company would give a presentation on its work to the Committee in June.

The Director of Finance and Corporate Services was thanked for the report, which members felt explained well the changes that had taken place and their implications.

RESOLVED:

That the new rules and regulations governing the actions of bailiff's, including the collection of debts, be noted.

FM/113. **TEMPORARY DISCRETIONARY RATE RELIEF**

The Committee considered a report by the Director of Finance and Corporate Services on the introduction of a temporary Business Rate Relief Scheme. The report explained that the Government had introduced three new temporary discretionary rate reliefs for businesses. These cover unoccupied newly built commercial premises, new occupants of property that had previously been vacant for over a year and rate relief for specified properties with a low rateable value.

The Committee was recommended to make use of the discretionary power and to introduce a rate relief scheme. This would, it was suggested, contribute towards the Council's key goal of promoting economic growth and regeneration. It would do this by helping existing businesses and by bringing currently unused properties back into use. Members welcomed the proposal and asked that information about the rate relief scheme be made known widely, so that as many businesses as possible could benefit from it.

RESOLVED:-

That the Council introduce a temporary Rate Relief Scheme in accordance with the Government's proposals.

FM/114. **WORK PROGRAMME**

The Committee received and endorsed its suggested updated work programme for 2014/15.

RESOLVED:-

That the updated work programme is approved.

Note: At the conclusion of this item and with the agreement of the Chairman, the Chief Executive, informed the Committee of the sad news that the former Chairman of the Council's Standards Committee, Dudley Williams, had died. The Committee rose and observed a silence as a mark of respect.

FM/115 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 20th February 2014 were received.

DEBTS SUBMITTED FOR THE WRITE-OFF (Paragraph 1)

That the Committee approve the write-off of sums due to the Council in accordance with Financial Regulations

FRAUD UNIT (Paragraph 2)

That the Committee approve proposals for the changing role of the Council's Fraud Unit.

EXTENSION TO THE EXISTING CONTRACT FOR INSTALLING EXTERNAL WALL INSULATION (Paragraph 3)

That the Committee approve the existing contract for installing external wall insulation.

MRS. ANN WATSON

VICE-CHAIRMAN IN THE CHAIR

REPORT TO:	ANNUAL COUNCIL	AGENDA ITEM: 12
DATE OF MEETING:	15th MAY 2014	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN PARAGRAPH NO: N/A
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES (595848/595722)	DOC:
SUBJECT:	POLITICAL PROPORTIONALITY	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 That, in accordance with Council Procedure Rule No. 1.1(e), the Council appoints the Committees and Sub-Committees as set out at Annexe 'A' together with the six Area Forums detailed in Article 9 of the Council's Constitution.
- 1.2 That the Council approves and adopts the recommended allocation of seats to the Political Groups for the municipal year 2014/15.
- 1.3 That the Council allocates seats between the Political Groups as set out at Annexe 'A' and invites the two Groups to make nominations to fill the seats.

2.0 Purpose of Report

- 2.1 To consider the Council's political proportionality for the municipal year 2014/15.

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 currently as follows:-
 - Conservative Group 19
 - Labour Group 17
- 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 52 seats to the Conservative Group and 46 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 2014/15

Committee	Membership	Conservative Group	Labour Group
Finance & Management	13	7	6
Environmental & Development Services	13	7	6
Housing & Community Services	13	7	6
Planning	13	7	6
Licensing & Appeals	15	7	8
Overview & Scrutiny	8	4	4
Standards	6	3	3
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	52 (51.72)	46 (46.28)
Total number of seats on Council	36 (100%)	19 (52.78%)	17 (47.22%)

COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS **2014/15**

FINANCE AND MANAGEMENT COMMITTEE (13)

Conservative Group (7)

Councillor Mrs. Watson (Chairman), Councillors Jones (Vice-Chairman) and Councillors Hewlett, Murray, Smith, Watson and Wheeler.

Labour Group (6)

Councillors Bell, Rhind, Richards, Southerd, Taylor and Wilkins.

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE (13)

Conservative Group (7)

Councillor Watson (Chairman), Councillor Roberts (Vice-Chairman) and Councillors Mrs. Brown, Ford, Mrs. Hall, Mrs. Patten and Stanton.

Labour Group (6)

Councillors Chahal, Frost, Mulgrew, Stuart, Taylor and Tilley.

HOUSING AND COMMUNITY SERVICES COMMITTEE (13)

Conservative Group (7)

Councillor Hewlett, (Chairman), Councillor Smith (Vice-Chairman) and Councillors Ford, Harrison, Mrs. Hood, Lemmon and Murray.

Labour Group (6)

Councillors Dunn, Frost, Mulgrew, Rhind, Richards and Shepherd.

PLANNING COMMITTEE (13)

Conservative Group (7)

Councillor Ford (Chairman), Councillor Mrs. Brown (Vice-Chairman) and Councillors Bale, Mrs. Hall, Jones, Stanton and Watson.

Labour Group (6)

Councillors Bell, Dunn, Pearson, Richards, Shepherd and Southerd

LICENSING AND APPEALS COMMITTEE (15)

Conservative Group (7)

Councillor Stanton (Chairman) and Councillors Atkin, Bale, Harrison, Mrs. Patten, Watson and Wheeler.

Labour Group (8)

Councillors Bell, Dunn, Frost, Mrs. Heath, Rhind, Richards, Southerd and Wilkins.

OVERVIEW AND SCRUTINY COMMITTEE (8)

Conservative Group (4)

Councillor Mrs. Plenderleith (Chairman), Councillor Atkin (Vice-Chairman) and Councillors Mrs. Hood and Mrs. Patten.

Labour Group (4)

Councillors Bambrick, Heath, Mrs Mead and Pearson.

STANDARDS COMMITTEE (6)

Conservative Group (3)

Councillors Harrison (Chairman), Stanton (Vice-Chairman) and Murray.

Labour Group (3)

Councillors Mrs. Mead and Pearson (one other to be confirmed)

JOINT CONSULTATIVE COMMITTEE (5)

Conservative Group (3)

Councillors Harrison, Mrs. Watson and Wheeler.

Labour Group (2)

Councillors Richards and Southerd

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE (3)

Conservative Group (2)

Councillors Bale and Lemmon.

Labour Group (1)

Councillor Shepherd

AUDIT SUB-COMMITTEE (5)

Conservative Group (3)

Councillor Harrison (Chairman), Councillor Ford (Vice-Chairman) and Councillor Murray.

Labour Group (2)

Councillors Dunn and Shepherd

HERITAGE GRANTS SUB-COMMITTEE (4)

Conservative Group (2)

Councillors Bale and Hewlett.

Labour Group (2)

Councillors Southerd and Taylor.

SINGLE STATUS STEERING GROUP (3)

Conservative Group (2)

Councillors Harrison and Wheeler.

Labour Group (1)

Councillor Wilkins

COMMUNITY PARTNERSHIP SCHEME ASSESSMENT PANEL (5)

Conservative Group (3)

Councillors Bale, Harrison and Wheeler.

Labour Group (2)

Councillors Rhind and Taylor

CORE STRATEGY WORKING PANEL (5)

Conservative Group (3)

Councillors Hewlett, Smith and Watson.

Labour Group (2)

Councillors Rhind and Taylor

CORPORATE SERVICES STRATEGIC PARTNERSHIP BOARD (3)

Conservative Group (2)

Councillors Harrison and Wheeler.

Labour Group (1)

Councillor Richards

LOCAL PLAN OFFICER/MEMBER WORKING GROUP (6)

Conservative Group (3)

Councillors Watson (Chairman) and Councillors Mrs. Plenderleith and Stanton.

Labour Group (3)

Councillors Shepherd, Southerd and Taylor

AREA FORUM COMPOSITIONS

ETWALL

(Comprising Members from Etwall, Hatton and Hilton Wards)

Conservative Group

Councillors Bale, Mrs. Brown, Lemmon, Mrs. Patten, Mrs. Plenderleith and Roberts.

LINTON

(Comprising Members from Linton and Seales Wards)

Conservative Group

Councillors Mrs. Hall, Jones and Wheeler.

Labour Group

Councillor Frost.

MELBOURNE

(Comprising Members from Aston and Melbourne Wards)

Conservative Group

Councillors Atkin, Harrison, Hewlett, Mrs. Watson and Watson.

NEWHALL

(Comprising Members from Midway and Newhall & Stanton Wards)

Labour Group

Councillors Bambrick, Dunn, Mrs. Mead, Pearson, Richards and Wilkins.

REPTON

(Comprising Members from Repton, Stenson and Willington & Findern Wards)

Conservative Group

Councillors Ford, Mrs. Hood, Smith and Stanton.

Labour Group

Councillors Chahal and Shepherd.

SWADLINCOTE

(Comprising Members from Church Gresley, Swadlincote and Woodville Wards)

Conservative Group

Councillor Murray.

Labour Group

Councillors Bell, Mrs. Heath, Mulgrew, Rhind, Southerd, Stuart, Taylor and Tilley.

SUBSTITUTE PANELS 2014/15

FINANCE AND MANAGEMENT COMMITTEE

Conservative Group (7)

Councillors Atkin, Bale, Mrs. Hall, Mrs. Hood, Lemmon, Roberts and Stanton.

Labour Group (6)

Councillors Dunn ,Frost Mulgrew,Shepherd,Stuart and Tilley

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

Conservative Group (7)

Councillors Atkin, Harrison, Jones, Lemmon, Murray, Smith and Wheeler.

Labour Group (6)

Councillors Dunn,Rhind,Richards,Shepherd,Southerd and Wilkins

HOUSING AND COMMUNITY SERVICES COMMITTEE

Conservative Group (7)

Councillors Bale, Mrs. Hall, Mrs. Plenderleith, Roberts, Stanton, Watson and Wheeler.

Labour Group (6)

Councillors Bell,Chahal,Southerd,Stuart,Taylor and Wilkins

PLANNING COMMITTEE

Conservative Group (7)

Councillors Hewlett, Mrs. Hood, Lemmon, Murray, Mrs. Patten, Roberts and Wheeler.

Labour Group (6)

Councillors Bambrick,Mrs Heath,Rhind,Stuart,Taylor and Wilkins

JOINT CONSULTATIVE COMMITTEE

Conservative Group (3)

Councillors Hewlett, Mrs. Patten and Watson

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Labour Group (2)

Councillors Rhind and Taylor

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE

Conservative Group (2)

Councillors Mrs. Plenderleith and Roberts.

Labour Group (1)

Councillor Chahal

HERITAGE GRANTS SUB-COMMITTEE

Conservative Group (2)

Councillors Atkin and Smith.

Labour Group (2)

Councillor Bell and Mrs Heath

SINGLE STATUS STEERING GROUP

Conservative Group (2)

Councillors Mrs Hood and Mrs. Watson.

Labour Group (1)

Councillor Richards

COMMUNITY PARTNERSHIP SCHEME ASSESSMENT PANEL

Conservative Group (3)

Councillors Atkin, Mrs. Hood and Lemmon.

Labour Group (2)

Councillors Southerd and Tilley

**SCHEDULE OF PERSONS NOMINATED FOR SERVICES AS
REPRESENTATIVES OF THE COUNCIL
ON OUTSIDE BODIES FOR 2014/15**

Organisation	Representative(s)
1. Acre Lane, Shardlow Sand & Gravel Site Liaison Committee	Councillor P Watson Councillor A Watson (sub)
2. Adult Care Services Board(Supporting People).	Chairman of Housing and Community Services Committee
3. Arts Derbyshire	Councillor J Hewlett
4. Association of Retained Council Houses Ltd. (ARCH)	Councillor J Hewlett Director of Housing and Environmental Services
5. Building Control Joint Working Project Board.	Chairman of Environmental & Development Services Committee
6. Burton Hospitals NHS Foundation Trust Governors	Councillor A Plenderleith
7. Central Midlands Audit Partnership Board	Chairman of Audit Sub-Committee Vice-Chairman of Audit Sub-Committee (sub)
8. Community Arts Project (“People Express”) Management Committee	Councillor P Murray Councillor P Smith
9. Community Transport (Swadlincote) Management Committee	Councillor M Hall
10. Derby Airfield Consultative Committee	Councillor M Ford
11. Derbyshire Economic Partnership Board	Councillor R Wheeler
12. Derby and Derbyshire Strategic Leadership Forum	Councillor R Wheeler Councillor J Harrison(sub) Chief Executive Monitoring Officer (sub)
13. Derby and Sandiacre Canal Trust Ltd	Councillor M Stanton
14. Derbyshire Hate Crime Panel	Councillor J Patten
15. Derbyshire Partnership Forum	Councillor R Wheeler
16. Derbyshire Police and Crime Panel	Councillor A Plenderleith Councillor N Atkin (sub)
17. Derbyshire Sport	Councillor P Smith
18. Donington Park Racing Circuit Liaison Committee	Councillor P Watson Councillor N Atkin (sub) Councillor J Harrison (sub)
19. East Midlands Airport Independent Consultative Committee	Councillor J Harrison Councillor N Atkin (sub)

20. East Midlands Airport Liaison Committee	Aston, Melbourne and Repton Ward Members
21. East Midlands Arts	Councillor J Patten
22. East Midlands Councils	Councillor R Wheeler
23. Elvaston Quarry Waste Disposal Site Liaison Committee	Councillor P Watson Councillor Mrs A Watson(sub)
24. Environmental Education Project Steering Group	Councillor J Hewlett
25. Goseley Community Centre Committee	Councillor P Murray Councillor S Taylor
26. Heart of the Forest Forum	Councillor M Stanton
27. Hilton Harriers Mease Management Committee	Councillor J Patten
28. Homestart	Councillor P Smith
29. Local Government Association (London)	Councillor R Wheeler (General Assembly) Councillor J Harrison (Rural Commission) Councillor P Watson (Urban Commission)
30. Local Government Information Unit	Councillor R Wheeler Councillor J Harrison (sub)
31. Melbourne Sporting Partnership	Director of Community and Planning
32. New Albion Revised Liaison Committee	Councillor P Watson
33. Next Step Against Domestic Abuse	Councillor J Patten
34. Parking and Traffic Regulations (outside London) Adjudication Joint Committee	Councillor P Watson
35. Pingle Artificial Turf Pitch Management Group	Councillor P Smith
36. Relate	Councillor J Patten
37. Rosliston and Caldwell Village Hall Management Committee	Councillor R Wheeler
38. Rosliston Forestry Centre Management Executive	Councillor J Hewlett
39. Rosliston Forestry Community Group	Councillor R Wheeler
40. Rural Action Derbyshire	Councillor M Stanton
41. Safer South Derbyshire Partnership Strategic Group	Councillor R Wheeler Councillor J Hewlett (sub)
42. Shardlow Heritage Centre Museum Working Group	Councillor M Stanton
43. Sharpe's Pottery Heritage & Arts Trust Ltd.	Councillor J Hewlett Councillor P Smith Councillor M Stanton Councillor R Wheeler
44. Sir John Port and John Osbourne Almshouses Charitable Trust	Councillor J Lemmon

45. Social Care Forum	Councillor P Smith
46. South Derbyshire Citizens' Advice Bureau	Councillor J Hewlett Councillor C Jones
47. South Derbyshire CVS	Councillor M Hall Councillor C Jones
48. South Derbyshire Partnership	Councillor R Wheeler Councillor J Harrison Councillor K Richards Councillor T Southerd (sub) Chief Executive
49. South Derbyshire Mental Health Association	Councillor J Hewlett
50. South Derbyshire Music Trust Management Committee	Councillor M Hall
51. South Derbyshire Strategic Sports Group	Councillor P Smith Councillor J Hewlett (sub)
52. Swarkestone Pit, Barrow-on-Trent Sand and Gravel Site Liaison Committee	Councillor P Watson Councillor A Watson (sub)
53. Toyota Community Liaison Committee	Councillor R Wheeler Councillor J Lemmon
54. Visit Peak District and Derbyshire	Councillor M Stanton

MEMBER CHAMPIONS 2014/15

Arts & Culture	Councillor Hewlett
Consultation, Communication & Engagement	Councillor Murray
Design (Planning)	Councillor Bale
Equality & Diversity	Councillor Mrs. Patten
Health & Safety	Councillor Watson and Councillor Bell
Historic Environment	Councillor Watson
Information Technology	Councillor Mrs. Watson and Councillor Frost
Older People	Councillor Hewlett
Performance & Data Quality	Councillor Harrison
Procurement & Business Improvement	Councillor Mrs. Watson
Risk Management	Councillor Watson
Safeguarding	Councillor Mrs. Watson
Training	Councillor Lemmon and Councillor Southerd
Voluntary Sector	Councillor Hewlett
Young People	Councillor Bale

REPORT TO:	COUNCIL	AGENDA ITEM:
DATE OF MEETING:	15th May 2014	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 595848/595722	DOC:
SUBJECT:	SEALED DOCUMENTS	REF:
WARD (S) AFFECTED:	VARIOUS	TERMS OF REFERENCE: N/A

1.0 Purpose of Report/Detail/Recommendation

1.1 To authorise the Sealed Documents listed below, which have no specific authority:-

<u>Date</u>	<u>No. of Seal</u>	<u>Nature of Document</u>
28.3.14	10805	Transfer – 6 Scropton Road, Hatton
03.4.14	10809	Transfer – 8 West End Drive, Shardlow
03.4.14	10813	Transfer – 9 Moira Street, Melbourne
14.4.14	10815	Transfer – 19 Durham Close, Midway

2.0 Financial Implications

2.1 None.

3.0 Corporate Implications

3.1 None.

4.0 Community Implications

4.1 None.

5.0 Background Papers

5.1 Seal Register

REPORT TO:	ANNUAL COUNCIL	AGENDA ITEM:
DATE OF MEETING:	May 2014	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN PARAGRAPH NO: N/A
MEMBERS' CONTACT POINT:	Alan Maher Alan.maher@south-derbys.gov.uk 01283 595722	DOC:
SUBJECT:	Annual Report 2013-14	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: N/A

1.0 Recommendations.

1.1 That the Council receives and endorses the Overview & Scrutiny Committee Annual Report for the 2013-14 local government year.

2. Purpose of the report.

2.1 To set out the Annual Report to the Council from the Overview & Scrutiny Committee, as required by Article 6 of the Council's constitution. The report outlines how the Committee has discharged its functions during the course of the 2013/14 local government year. It explains what issues the Committee has looked at during this period.

3. Background: what is the role of the Council's Overview & Scrutiny Committee?

3.1 Overview & Scrutiny plays an important part in the life of the Council and the wider South Derbyshire community. It provides elected members with an opportunity to question those who are responsible for taking decisions about how Council and other services are run / hold them to account for their performance. It also gives them an opportunity to come up with their own ideas and recommendations for how they think things could be made better.

3.2 The Council's constitution explains what the role and purpose of the Overview & Scrutiny Committee is. Briefly, it has been asked to:

(a) Make reports and / or recommendations to full Council, the policy committees or area forums in connection with the formulation of policy and the discharge any functions;

(b) Consider any matter affecting the district or its inhabitants;

Review and / or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;

(c) Exercise the call-in procedure in respect of decisions made, but not yet implemented by any policy committee or area forum. (The Overview & Scrutiny Committee has the power to determine 'call-in' requests of any policy decision made but not implemented.)

3.3 The Overview & Scrutiny Committee meets every six weeks or so. The meetings take place on a Wednesday evening and are usually held in the Civic Offices in Swadlincote. Members of the public can attend these meeting, although they are required to leave the room if the Committee decides to consider a so called 'exempt item.'

3.4 The Committee is made up of eight elected members of the Council. Four of them are from the Conservative group and four from the Labour group. They are:

(i) Overview & Scrutiny Committee members drawn from the Conservative Group

Councillor Mrs. Plenderleith (chairman), Councillor Atkin (vice chairman), Councillor Mrs. Hood and Councillor Mrs. Patten.

(ii) Overview & Scrutiny Committee members drawn from the Labour Group

Councillor Bambrick, Councillor Dunn, Councillor Mrs Mead and Councillor Pearson

4. What the Committee looked at during the year?

4.1 The Committee scrutinised a wide range of issues over the last twelve months. The key issues that it looked at were:

May 2013 – Crime & Disorder and especially the problem of domestic abuse;

June 2013 – Environmental volunteering;

September 2013 – How the Council is using the Regulation of Investigatory Powers Act (RIPA) and its Council Tax recovery procedures;

October 2013 – The ground maintenance services and the operation of the ‘Clean Team’;

December 2013 – Updates on the environmental volunteering projects and the use of the Regulation of Investigatory Powers Act and domestic abuse services within South Derbyshire;

January 2014 – The Council’s draft budget and medium term financial plan;

February 2014 – The Housing revenue account, including the proposed rent increase for council properties and the longer term financial projections for the service.

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

5. Domestic Abuse.

5.1 The Committee carried out a valuable investigation into domestic abuse services. During this investigation members learned that there were currently a wide range of services in the district, whose aim was to help the victims of domestic abuse. Many of these services are provided by voluntary groups. What emerged during the investigation was real concern about whether these groups would still be able to provide these services in the future. This was because there were doubts about their long term financial viability. Much of their funding is provided by Derbyshire County Council and there was a danger that it may be cut so that the County Council to achieve significant financial savings.

5.2 The Committee felt that there needs to be a more cohesive approach to how we provide services to the victims of domestic abuse. A cornerstone of this new approach would be to try and ensure that these groups continue to be properly funded. The Committee decided, therefore, to raise this with the county’s Police & Crime Commissioner – sending him a copy of its report and explaining to him why the elected members were concerned.

6. Environmental Volunteering.

6.1 The Committee's investigation into environmental volunteering to help make the district an even more pleasant place to live, work and visit, proved to be especially valuable. Members learned just how much had already been done to encourage volunteers. In particular, they heard that the Council was now actively seeking local companies to become involved in the scheme and asking them for suggested projects to work on. The Environmental Forum - an informal local network of people & groups with an interest in joining or running environmental projects - had also been invited to submit project ideas for volunteer groups to get involved in.

6.2 Members of the Committee discussed environmental volunteering at length. One of the key issues that they focused on was how projects could be funded and, crucially how all parts of the district, including those areas that did not have parish councils, would be able to finance future projects. As a result of the Committee's work, members agreed that a scheme of charges should be produced by the Environmental Development Manager in consultation with the Chairman of Overview and Scrutiny Committee and this schedule should then be submitted to the Housing and Community Services Committee for approval. They also looked at ways in which we could more effectively capture information from businesses and parish councils etc. about potential schemes; for instance by making this process easier and so help to ensure that people provide the required information.

7. Regulation of Investigatory Powers Act.

7.1 One of the ongoing areas of work which the Committee carried out during the year was to look at how the Council uses its investigatory powers and in particular how it makes sure that it does so in line with the Regulation of Investigatory Powers Act? As in previous years, members learned that the Council has robust arrangements in place to make sure that these powers are not abused and used sparingly.

8. Financial.

8.1 The Committee continued to play an important part in the Council's budget setting process by scrutinising the draft spending proposals. Members heard from the Director of Finance & Corporate Services about the financial settlement figures that the Council received from the government and especially the Revenue Support Grant, Retained Business Rates and the New Homes Bonus. The Committee was told that, in common with many other local authorities, the Council would have to make significant savings in order to achieve a balanced budget. For

this reason, specific proposals had been brought forward to achieve savings of £300,000 per annum.

8.2 Similarly, the Committee heard about the Housing Revenue Account Budget for 2014/15, along with the long term financial forecast for spending over the next ten years, to 2024. Providing housing is an important service for the Council, but under nationally determine rules the way it is paid for is separate to or 'ring fenced' from the wider budget. Members were told that the average rent increase had been set at £4.16 per week. In percentage terms, this was increase of 5.5%.

8.3 Member views on both the Council budget and the Housing Revenue account were then fed in to the Finance & Management Committee so that they could be taken on board when finalising these budgets.

9. Grounds Maintenance.

9.1 Finally, the Committee looked at what action had been taken following the service review of Grounds Maintenance, which it carried out during 2012. One of the key points that it learned was that 65% of service users rated it as either good or excellent. Members were reminded that a lot of the work carried out by Grounds Maintenance is actually funded by Derbyshire County Council. Although this work had been maintained at previous levels, the Committee felt it important that the Council continues to work with the County in order to help make sure that the funding is not cut.

9.2 One of the things which the Committee looked during this investigation was the operation of the 'Clean Team'. Two of its members – Councillors Patten and Dunn - spent time with the team. They were very impressed with what they saw and the ways in which it could be improved still further.

10. Future work programme.

10.1 The Overview & Committee will now carry out consultation with a wide range of stakeholders over the next few months to draw together and then agree the list of reviews that it will carry out during the 2014/15 local government year.

11. Concluding comments and acknowledgements.

11.1 This report has aimed to demonstrate the tangible effects that Overview & Scrutiny can make towards improving and delivering quality services to the residents of South Derbyshire. The Overview & Scrutiny Committee recognises and appreciates immensely the valuable contribution that elected members, officers and representatives from partner organisations made towards its work.

Without this support and co-operation, the Committee could not fulfil its aim to improve services for the benefit of South Derbyshire residents.

Chairman, Vice Chairman and Members of the Overview & Scrutiny Committee, May 2014

REPORT TO:	ANNUAL COUNCIL	AGENDA ITEM:
DATE OF MEETING:	15th MAY 2014	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ARDIP KAUR (EXT. 5715)	DOC:
SUBJECT:	SCHEME OF DELEGATION	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 That Annual Council approve the Scheme of Delegation (**Appendix A** to this report), to form Part 3 of the Council's Constitution.
- 1.2 To delegate to the Monitoring Officer, the ability to make minor amendments to the Scheme of Delegation, for example, following restructures or changes in job titles.

2.0 Purpose of Report

- 2.1 To consider the Council's Scheme of Delegation.

3.0 Detail

- 3.1 On 26th September 2013, Council approved and adopted the Scheme of Delegation to form Part 3 of the Council's Constitution. For completeness and in accordance with the Council's Constitution, it is recommended Annual Council approve the scheme.

4.0 Financial Implications

- 4.1 None directly arising from this report.

5.0 Corporate Implications

- 5.1 The revised Scheme of Delegation will provide a clear and effective resource within the Council's Constitution, to identify those powers delegated to officers, and to provide clear guidance on how the exercise of those powers is to be limited or qualified to ensure Members are appropriately involved in the Council's decision-making processes.

6.0 Community Implications

- 6.1 None arising directly from this report.

7.0 Background Papers

- 7.1 Scheme of Delegation.

SCHEME OF DELEGATION TO OFFICERS

(APPROVED BY FULL COUNCIL ON 26TH SEPTEMBER 2013)

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SCHEME OF DELEGATION TO OFFICERS

1. GENERAL CONDITIONS APPLYING TO ALL DELEGATED POWERS

1.1 The powers delegated in this Scheme must be exercised in accordance with:

- (1) the Council's Constitution;
- (2) relevant policies of the Council;
- (3) approved budgets;
- (4) decisions of the Council and its Committees.

1.2 The Chief Executive or Directors need not exercise their delegated powers and must not if, in their opinion, the matter involves questions of policy not yet determined by the Council.

1.3 Unless prohibited by law, the Chief Executive and each Director may delegate any power to another Director or the Chief Executive and authorise other officers by designation to exercise defined powers.

1.4 Delegated powers include carrying out all duties and powers covered by the function, including administrative and procedural acts, exercising discretion, making determinations, and imposing, amending, deleting, revoking, enforcing conditions, limitations, restrictions or other terms on any approval, consent, licence, permission or registration.

1.5 All powers delegated under this Scheme are subject to the Protocols set out in paragraph 9. These Protocols are designed to limit or qualify the exercise of those powers by the Chief Executive and Directors and to ensure that Members of the Council have adequate opportunity to comment on and be involved in the decision-making process, where appropriate.

2. GENERAL POWERS DELEGATED TO THE CHIEF EXECUTIVE AND DIRECTORS

2.1 To exercise those powers and functions allocated to them under the Council's Constitution.

2.2 To undertake the day-to-day management of their Directorates and the services for which they are responsible, including the deployment of personnel, premises, finance, vehicles, plant, equipment and other resources under their control.

2.3 Subject to the overall control of the Chief Executive and within the Council's approved establishment, policies and procedures, to recruit, manage and, if necessary, to dismiss staff within their control, including:

- (1) authorising pay and conditions;
 - (2) undertaking disciplinary and grievance proceedings;
 - (3) defending and, if necessary (and subject to the approval of the Director of Finance and Corporate Services if it involves claiming on the Council's insurance), settling any claims made against the Council;
 - (4) taking overall responsibility for the health and safety at work of employees;
 - (5) implementing all approved employment policies, practices and procedures.
- 2.4 To acquire, grant and dispose of rights in land, premises, vehicles, plant, equipment and other property on such terms and conditions as considered appropriate.
- 2.5 To provide and commission goods and services and to undertake and commission works.
- 2.6 To provide grants and other financial assistance.

3. POWERS DELEGATED TO THE CHIEF EXECUTIVE

3.1 To be Head of Paid Service for the Council.

3.2 Administration

- (1) To undertake all administrative functions of the Council relating to the operation of the Council's Constitution and meetings of the Council, its Committees and Panels.
- (2) To undertake all functions relating to Parish Councils.
- (3) To undertake all functions relating to civic matters.
- (4) To formulate and co-ordinate advice on strategic and corporate policy, continuous performance assessment, use of resources, and value for money.
- (5) To undertake all functions relating to electoral matters.
- (6) To approve attendance of Members at conferences, seminars, etc, in consultation with the Leader or Deputy Leader of the Council.

3.3 Legal, Licensing and Economic Development

- (1) To undertake all legal functions, including:

- authorising, instituting, defending, appearing in or settling any legal proceedings;
- issuing or serving any notice or order which is not the responsibility of any Director.

(2) To undertake all functions relating to licensing, including:

- street and house-to-house collections;
- amusements, lotteries and gaming;
- taxi and private hire licensing;
- alcohol, entertainment and late night refreshment;
- riding establishments;
- animal boarding;
- dog breeding;
- sex establishments;
- personal treatments i.e. tattoo, piercing;
- street trading;
- pet shops;
- zoos;
- dangerous wild animals;
- scrap metal.

(3) To be responsible for all functions relating to the promotion of the economic regeneration of South Derbyshire, working in partnership with local, sub-regional and regional agencies to develop the local economy and workforce, including:

- attracting inward investment, of businesses and employment, to the District;
- attracting visitors, from the UK and overseas, to South Derbyshire and the National Forest;
- supporting business development, by providing advice and support to local businesses and tourism enterprises;
- providing visitor information to visitors and local residents, principally through the operation of a Tourist Information Centre.

(4) To authorise and witness, with the Chairman or Vice-Chairman of the Council, the execution of deeds by affixing the Council's Common Seal.

3.4 Probity Issues

To be responsible for all probity issues and to co-ordinate the response to complaints against the Council, including settling complaints and paying compensation.

3.5 Debts

To write off debts up to £2,500, in consultation with the Director of Finance and Corporate Services.

4. POWERS DELEGATED TO THE DIRECTOR OF FINANCE AND CORPORATE SERVICES

4.1 To have overall control of the Council's finances and to act as financial adviser to the Council, its Committees, the Chief Executive and Directors.

4.2 Financial Services

(1) To undertake all functions in relation to:

- accountancy matters, including bank accounts;
- investments;
- insurances;
- risk management;
- Housing and Council Tax Benefits;
- Council Tax and Non-Domestic Rates and other revenues
- Non-Domestic Rate Relief;
- payroll and related matters;
- pensions;
- debtors and creditors;
- Collection Fund;
- investigation of fraud and impropriety.

(2) To control all funds and reserves.

4.3 Information Technology and Business Improvement

(1) To be responsible for providing and supporting the Council's Information Technology needs, and for ensuring that Information Technology resources are used appropriately and efficiently in accordance with the Council's corporate framework.

(2) To ensure that the Council's Information Technology is secure and that it follows best practice guidelines, such as Government Connect.

(3) To be responsible for providing the Council with effective, efficient and economic procurement and continuous business improvement that enables value for money in the delivery of services.

(4) To ensure that the Council's ICT Strategy and Procurement Strategy are kept up to date with any necessary minor amendments.

(5) To ensure that the Council's Data Quality strategy is adopted across the Council, to ensure data is accurate, valid, reliable, timely, relevant and complete.

(6) To be responsible for co-ordinating responses to Freedom of Information and Data Protection requests and for ensuring that the Council's Freedom of Information Publication Scheme is kept up to date.

4.4 Customer Services

To be responsible for providing an integrated Customer Service.

4.5 Organisational Development

- (1) To be responsible for providing an effective Human Resources Service, including the formulation, implementation and monitoring of fair and effective employment policies, practices and procedures; compliant health and safety framework and learning and development service.
- (2) To undertake functions, other than those which are the responsibility of other Chief Officers, relating to the development, management, co-ordination and monitoring of corporate policy objectives, including:
 - managing delivery of Corporate Policy including the production of corporate Policy documents including the Corporate Plan and Annual Report;
 - responding to Government's requirements for the assessment of Local Councils and Services;
 - developing and co-ordinating the performance management framework (the Corporate Plan, Service Plans and National Performance Indicators);
 - supporting and co-ordinating arrangements for consultation, including management of the South Derbyshire Citizens' Panel;
 - developing the Council's approach to Equality, Fairness and Social Inclusion issues.
- (3) To undertake functions relating to the provision of an effective internal and external communications service.

4.6 Internal Audit

To be responsible for providing an effective Internal Audit Service.

4.7 Corporate Property and Asset Management

To be responsible for the effective strategic management and co-ordination of corporate property and asset management planning.

4.8 Land Charges

To undertake and co-ordinate all functions relating to Local Land Charges and Enquiries.

4.9 Miscellaneous

To act as Treasurer to the Etwell Leisure Centre Joint Management Committee.

5. POWERS DELEGATED TO THE DIRECTOR OF FINANCE AND CORPORATE SERVICES, THE DIRECTOR OF HOUSING AND ENVIRONMENTAL SERVICES AND THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES

- 5.1 In the absence of the Chief Executive, to authorise and witness, with the Chairman or Vice-Chairman of the Council, the execution of deeds by affixing the Council's Common Seal.

6. POWERS DELEGATED TO THE DIRECTOR OF HOUSING AND ENVIRONMENTAL SERVICES

6.1 Housing Services

To undertake all functions relating to Housing including:

- housing management;
- maintenance and improvement of the Council's housing stock and its environment;
- facilitating the provision of housing and incidental amenities;
- housing advice, advances and grants;
- mobile homes;
- permanent gypsy/traveler sites;
- homelessness;
- crime, disorder and anti-social behavior reduction, in liaison with the Police, in council housing and in general community;
- harassment and unlawful eviction;
- housing related support services.

6.2 Environmental Services and Health

To undertake all functions relating to Environmental Services and Health, including:

- public health;
- recycling;
- food sales, safety and standards;
- caravan sites;
- Health and Safety at Work;
- cleansing of highways and other public areas;
- pollution control;
- exhumations;
- public conveniences;
- bus shelters;
- street name plates and signs for Council functions;
- street furniture and litter bins
- refuse collection and disposal;
- pest control;
- shops and Sunday trading;

- animals;
- litter and fly tipping – prevention and clearance;
- home safety;
- water supply, standards and safety;
- housing conditions, standards and safety;
- housing improvement and renovation;
- public nuisance;
- high hedges;
- drainage and sewers;
- dogs;
- smoking prohibition;
- environmental management;
- climate change;
- grounds and highway verge maintenance.

7. POWERS DELEGATED TO THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES

7.1 Culture and Community

(1) To be responsible for all functions relating to Culture and Community services including:

- indoor and outdoor leisure facilities;
- public parks and open spaces;
- arts, heritage, community, sport, play, health and leisure activities;
- environmental education;
- cemeteries, crematoria and mortuaries;
- welfare funerals;
- grant aid support to voluntary organisations;
- developing a Sustainable Community Strategy for South Derbyshire through the South Derbyshire Partnership.

(2) To be responsible for all functions relating to the Safer South Derbyshire Partnership:

- community safety, crime, disorder and anti-social behavior reduction, in liaison with the Police.

7.2 Planning and Development Management

All functions in accordance with all Town and Country Planning, Listed Building and related or associated legislation (including subordinate legislation and any consolidation, re-enactment or amendment thereto), shall be delegated to the Development and Building Control Manager, including the following:

- to determine all planning applications, approval of reserved matters, prior notifications/determinations/approvals, consents and consultations (including those from County Council and neighbouring authorities), submitted to or received by the Council;

- to determine non-material amendments and minor material amendments to planning permissions;
- to determine extensions to the time limits for implementing planning permissions;
- to determine applications for certificates of lawfulness for proposed or existing uses or development;
- to approve details submitted in compliance with conditions on planning permissions;
- to determine whether an Environmental Impact Assessment is required to accompany a planning application, and the matters to be covered in the assessment (i.e. issuing of screening and scoping opinions);
- to negotiate the terms of section 106 agreements and/or the Community Infrastructure Levy in accordance with the Adopted Charging Schedule;
- to decline to determine planning applications under section 70(a) of the Town and Country Planning Act 1990;
- to submit an order to the Secretary of State for revocation of a Hazardous Substances Consent;
- to serve building preservation notices under section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as may be amended) in consultation with the Chairman of the Planning Committee;
- to serve repairs notices on listed buildings under section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- to execute urgent works under section 54 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990;
- to make, confirm and revoke tree preservation orders where there are no objections, in consultation with the Chairman of the Planning Committee;
- to serve hedgerow retention notices;
- to respond to notices of intention to carry out works to trees in conservation areas;
- Statements of Community Consultation for applications to the Planning Inspectorate Major Infrastructure Planning Unit (as may be superseded);
- submission of all necessary statements, proofs of evidence, etc, as required as part of the planning appeals process;
- to carry out any necessary changes to procedures in line with government guidance/statutory requirements;
- to negotiate and agree the terms of Planning Performance Agreements;
- to respond to informal development enquiries;
- to make and, where no objections are received, confirm footpath diversion orders;
- the registration and verification of initial notices submitted by Approved Inspectors under the Building Act 1984.

7.3 Planning Enforcement

To undertake all functions in relation to Planning Enforcement, including:

- to take any formal enforcement action in relation to cases of unauthorised Development, not covered by other specific delegated authority, in accordance with the Council's Adopted Local Enforcement Plan;

- to serve enforcement notices, stop notices and temporary stop notices under the Town and Country Planning Act 1990;
- to serve requisitions for information under Section 330 of the Town and Country Planning Act 1990;
- to serve planning contravention notices under Section 171C of the Town and Country Planning Act 1990;
- to serve breach of condition notices;
- to take action under Section 224 of the Town and Country Planning Act 1990 and the Town and Country (Control of Advertisement) Regulations in respect of unauthorised advertisements;
- to withdraw a planning enforcement notice where planning permission for the development has subsequently been granted;
- to remove or obliterate posters under Section 225 of the Town and Country Planning Act 1990;
- to serve notices under Section 215 of the Town and Country Planning Act 1990 requiring the proper maintenance of land;
- to carry out any necessary changes to procedures/the Adopted Local Enforcement Plan in line with government guidance/statutory requirements;
- to enter land and buildings as authorised under:
 - Town and Country Planning Act 1990 (as may be amended);
 - Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (as may be amended);
 - Planning (Hazardous Substances) Act 1990 (as amended);
 - Planning (Hedgerow Regulations) Act 1997;
 - Local Government (Miscellaneous Provisions) Act 1976, 1982;
 - Planning (Consequential Provisions) Act 1990 (as amended).

7.4 Building Control

To undertake all functions in relation to Building Control, including:

- plans and notices deposited under the Building Regulations;
- site inspection of building work in progress for Building Regulation and associated legislation compliance;
- determination of applications and the issue of legal certificates
- investigation of reports of unauthorised work and the taking of appropriate action to deal with those works, along with any contravention of the regulation;
- to provide professional advice regarding the Building Regulations and compliance thereto;
- assessment and variation of charges under the Council's Scheme of Charges;
- Building Act 1984, Part II notices;
- applications for Building Regulations dispensation or relaxation;
- the authority to deal with the control of dangerous structures and to act as the proper officer where such emergencies make it necessary (and to authorise Surveyors at East Staffordshire Borough Council to act on the Council's behalf in accordance with an agreed protocol;
- requisitions for information;

- enforcement notices under the Building Act 1984;
- Local authority national type approval consortium scheme notices;
- local authority building control national partnering scheme;
- street naming and house numbering and fee setting thereof;
- to enter land and buildings as authorised under the Building Act 1984;
- to take all actions prescribed by Sections 77 – 81 of the Building Act 1984;
- to take all actions prescribed by Sections 36 and 59 of the Building Act 1984.

7.5 Planning Policy

To undertake all Planning Policy functions, including:

- to develop and implement the Local Plan (Local Development Framework (LDF)) for the District;
- to commission and undertake research and evidence in connection with the above;
- to devise and undertake public consultation.

8. **POWER DELEGATED TO THE LEGAL AND DEMOCRATIC SERVICES MANAGER**

8.1 To be Monitoring Officer for the Council.

9. **THE PROTOCOLS**

9.1 Financial Services Protocol

- (1) All budgetary and financial decision-making is subject to the Council's Financial Regulations and Financial Procedures.
- (2) All decisions on Non-Domestic Rate Relief are subject to the Council's Delegated Scheme for the Granting of Discretionary Rate Relief, Discretionary Rural Rate Relief and Hardship Relief.

9.2 Organisational Development Protocol

- (1) All proposals to alter the Council's establishment involving increased expenditure will be presented to Finance and Management Committee for determination.
- (2) Delegated powers in relation to the Corporate Plan are subject to the Annual Report and Plan Summary approved by Council, and to performance reports managed by and reported to relevant policy committees.

- (3) Delegated powers in relation to Performance Management are subject to the Performance Management framework approved from time to time by the Finance and Management Committee.
- (4) Delegated powers in relation to consultation are subject to the Consultation Strategy and to specific consultation programmes agreed by relevant committees.
- (5) Delegated powers in relation to communication are subject to the Communication Strategy and to specific communication campaigns agreed by relevant committees.
- (6) All Citizens' Panel and Place Survey outcomes will be reported to Members, through the relevant committee or bulletin as appropriate.
- (7) Delegated powers in relation to Equality, Fairness and Social Inclusion are subject to relevant strategies, policies and schemes approved by the Council or appropriate committee.
- (8) Delegated powers in relation to the Overview and Scrutiny Committee are subject to the work plans of that committee.

9.3 Corporate Property and Asset Management Protocol

- (1) Any acquisitions or disposals of property will be undertaken only after receiving advice from a fully qualified valuer.
- (2) There is no delegated power to the Chief Executive or any Director to approve the acquisition or disposal of freehold land and property, or of leases or licences the premium or annual consideration for which exceeds £10,000. This excludes the re-letting of commercial and industrial property as part of the day-to-day management of the Council's property estate.

9.4 Planning Services Protocol

- (1) Where a formal objection from a statutory consultee is received in respect of a tree preservation order, trees in conservation areas, removal of hedgerows, or telecommunications development requiring prior notification to the local authority, delegated powers may be exercised only after consultation with the Chairman or Vice-Chairman of Planning Committee.
- (2) Delegated power on applications may be exercised only in the following cases:
 - the approval of non-major applications in conformity with development plan policies and/or supplementary planning guidance and national planning policy guidance/statements;
 - the refusal of non-major applications significantly in conflict with development plan policies and/or supplementary planning guidance and national planning policy guidance/statements;

- the approval of major applications which are not subject to a significant level of controversy and which conform to development plan policies and/or supplementary planning guidance and national planning policy guidance/statements;
- the refusal of major applications which are not subject to a significant level of controversy and which conflict with development plan policies and/or supplementary planning guidance and national planning policy guidance/statements;
- in the case of major applications which are not subject to a significant level of controversy and where there is no specifically relevant development plan policy or supplementary planning guidance and national planning policy guidance/statements, the determination of such applications in accordance with long-term, consistent precedent decisions and specialist advice from consultees;
- the approval of applications for hazardous substances consent;
- all Certificates of Lawfulness of Existing or Proposed Use or Development.

(3) Delegated power on enforcement action may be exercised only in the following cases:

- where there is a clear-cut conflict with development plan policies and/or supplementary planning guidance and national planning policy guidance/statements;
- where there has been a previous committee decision, which leads logically to a decision to enforce;
- where an appeal decision provides a precedent for enforcement;
- where a site is manifestly untidy;
- the issue of temporary stop notices.

(4) The following matters are specifically excluded from these delegated powers:

- any application (other than Certificates of Lawfulness of Existing or Proposed Use or Development) which a Member requests to come before the Planning Committee;
- any major application or an application on a matter where there is no established planning policy or formal supplementary planning guidance and national planning policy guidance/statements, where a relevant parish council expresses a clear view in favour of the proposal which would otherwise be refused or a clear objection where the application would otherwise be approved;
- any application which has the potential for compensation payable by the Council;
- any application by or on behalf of a member of staff or Member of the Council;
- any application where the Council itself is the applicant;

- any other matter which, notwithstanding this Scheme of Delegation, the Development and Building Control Manager considers should be brought to the attention of Planning Committee.
- (5) A matter is to be regarded as being “subject to a level of significant controversy” if:
- more than two letters of objection from neighbours are received where the outcome could otherwise be an approval;
 - more than two letters of support from neighbours are received where the outcome could otherwise be a refusal;
 - advice given by any statutory consultee is inconsistent with the recommendation(s) of the Development and Building Control Manager.
- (6) “Applications” include:
- full, outline and reserved matters planning applications;
 - applications for advertisement, listed building and conservation area consents;
 - applications to demolish buildings;
 - applications for works to trees covered by tree preservation orders and notifications of works proposed to trees located in conservation areas and to remove hedgerows;
 - applications for renewal of permissions, removal or alteration of conditions;
 - applications relating to power lines;
 - applications for a certificate of lawfulness of existing or proposed use or development;
 - agricultural notifications;
 - applications for development by telecommunications operators;
 - applications made under general regulations for minor works equivalent to domestic applications from private householders;
 - applications for certificates of appropriate alternative developments;
 - applications for development from government departments;
 - consultation by neighbouring authorities and Derbyshire County Council.
- (7) “Major applications” mean those defined as such in the Town and Country Planning (General Procedure) Order 1995. “Non-major applications” mean all other householder applications and those not defined as major in the Town and Country Planning (General Procedure) Order 1995.
- (8) Legal agreements under s.106 of the Town and Country Planning Act 1990 are to be settled in liaison with the Legal and Democratic Services Manager.
- (9) Enforcement notices under s.36 and Part III of the Building Act 1984 are to be served in liaison with the Legal and Democratic Services Manager.

(10) The Council's Scheme of Charges under the Building Regulations may be varied:

- by up to and including 10% in consultation with the Director of Finance and Corporate Services
- by more than 10% in consultation with the Director of Finance and Corporate Services and the Chairman or Vice-Chairman of the Environmental and Development Services Committee, subject to all such decisions being reported to the next meeting of that committee.

(11) Where an objection is received to an application for street naming or house numbering and that objection remains unresolved, delegated power to determine the application may be exercised only after consultation with the Chairman and Vice-Chairman of the Environmental and Development Services Committee.

9.5 Housing Services Protocol

Delegated powers in relation to the modification of Council dwellings to cater for chronically sick or disabled persons for minor adaptations is limited to a maximum value of £1,000 in any one case.

9.6 Culture and Community Protocol

(1) Delegated powers in relation to the determination of requests to hire commons, parks and recreation grounds do not include the refusal of such requests or the approval of requests not in accordance with the Council's standard terms and conditions of hire. Approvals are to be subject to relevant Ward Members being notified and, where practicable, in consultation with the appropriate Area Forum.

(2) Delegated powers in relation to the Community Strategy for South Derbyshire are subject to the Community Strategy produced by the South Derbyshire Partnership and to the Partnership's Constitution. Reports monitoring performance of the Council's contributions to the Community Strategy will be reported to the Executive Board of the Partnership and relevant policy committees.

9.7 Economic Regeneration Protocol

Delegated powers in relation to Economic Regeneration are subject to the Economic Regeneration Strategy agreed by the Environmental and Development Services Committee, and to the Committee's individual approval of larger or more complex Economic Regeneration projects.

9.8 Environmental Services Protocol

Delegated powers in relation to housing, construction, regeneration and major adaptations in the public and private sectors do not include the refusal of applications for grants.

9.9 Licensing Protocol

- (1) Delegated powers in relation to the Council's functions under the Licensing Act 2003 must be exercised in accordance with the Statement of Licensing Policy for South Derbyshire District and, in particular, may not be exercised in respect of:
 - any application for a personal licence with unspent convictions;
 - any application to review a premises licence or club premises certificate;
 - any determination of a representation by a Responsible Authority on a temporary event notice;
 - any application for a personal licence, to vary a designated personal licence holder, for the transfer of a premises licence, or for interim authorities, where a representation is made by Derbyshire Constabulary;
 - any application for a premises licence or club premises certificate, a provisional statement, or to vary a premises licence or club premises certificate, if any representation is made.
- (2) Delegated powers in relation to hackney carriages or private hire vehicles, operators and drivers do not include the refusal of applications or renewals. Delegated powers do not include the revocation of licences.
- (3) Delegated powers in relation to other licensing functions do not include the refusal of applications for licences or refusal for their renewal.
- (4) Delegated powers in relation to the Council's functions under the Gambling Act 2005 must be exercised in accordance with the Statement of Licensing Policy (Gambling) and Statement of Principles Gambling Act 2005 for South Derbyshire District and, in particular, may not be exercised in respect of:
 - any application for a premises licence, or provisional statement, or to vary or transfer a premises licence, if any representation is made and not withdrawn;
 - any application to review a premises licence;
 - any application for a club gaming or club machine permit, if any representation is made and not withdrawn;
 - cancellation of club gaming, or club machine permits;
 - issuing a counter notice to a temporary use notice.