

Date: 29th March 2017

Dear Councillor,

Council

YOU ARE HEREBY SUMMONED to attend the Meeting of the **Council** to be held in the **Council Chamber**, on **Thursday, 06 April 2017** at **18:00** to transact the business set out on the attached agenda.

Yours faithfully,



Chief Executive

To:- **Conservative Group**

Councillor Murray (Chairman), Councillor Stanton (Vice-Chairman) and Councillors Atkin, Billings, Mrs Brown, Mrs Coe, Coe, Mrs Coyle, Ford, Grant, Mrs Hall, Harrison, Hewlett, MacPherson, Muller, Mrs Patten, Mrs Plenderleith, Roberts, Smith, Swann, Watson, Wheeler and Mrs Wyatt

Labour Group

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

AGENDA

Open to Public and Press

- 1** Apologies.

- 2** To confirm the Open Minutes of the Council Meeting held on the 1st March 2017 (CL/124-CL/141)
Council 1st March 2017 Open Minutes **5 - 13**

- 3** To receive any declarations of interest arising from any items on the Agenda.

- 4** To receive any announcements from the Chairman, Leader and Head of Paid Service.

- 5** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.

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

- 7** To authorise the sealing of the documents.

Sealed Documents **14 - 14**

- 8** PAY POLICY STATEMENT 2017-18 **15 - 31**

- 9** PLANNING APPLICATION FEES - THE GOVERNMENT'S OFFER **32 - 33**

- 10** CYCLE OF MEETINGS 2017-18 **34 - 36**

- 11** To receive and consider the Open Minutes of the following Committees:-

Planning Committee 28th February 2017 Open Minutes **37 - 41**

Environmental and Development Services Committee 2nd March 2017 Open Minutes	42 - 46
Finance and Management Committee 16th March 2017 Open Minutes	47 - 50
Planning Committee 21st March 2017 Open Minutes	51 - 57
Overview and Scrutiny Committee 22nd March 2017 Open Minutes	58 - 60
Licensing and Appeals Sub-Committee 23rd March 2017 Open Minutes	61 - 62

- 12** To review the compositions of Committees, Sub-Committees and Working Panels for the remainder of the Municipal Year.
- 13** To review the compositions of Substitute Panels.
- 14** To review representation on Outside Bodies.

Exclusion of the Public and Press:

- 15** The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 16** To confirm the Exempt Minutes of the Council Meeting held on 1st March 2017 (CL/142-CL/144)
Council 1st March 2017 Exempt Minutes
- 17** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 18** ENVIRONMENTAL EDUCATION PROJECT FUNDING
- 19** To receive and consider the Exempt Minutes of the following Committees:-

Environmental and Development Services Committee 2nd March
2017 Exempt Minutes

Finance and Management Committee 16th March 2017 Exempt
Minutes

Planning Committee 21st March 2017 Exempt Minutes

Licensing and Appeals Sub-Committee 23rd March 2017 Exempt
Minutes

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Wednesday 1st March 2017
at 6.00pm

PRESENT:-

Conservative Group

Councillor Murray (Chairman), Councillor Stanton (Vice Chairman), Councillors Atkin, Billings, Mrs Brown, Mrs Coe, Coe, Mrs Coyle, Ford, Grant, Mrs Hall, Harrison, Hewlett, MacPherson, Muller, Mrs Patten, Mrs Plenderleith, Smith, Swann, Watson, Wheeler and Mrs Wyatt

Labour Group

Councillors Bambrick, Chahal, Dunn, Richards, Shepherd, Southerd, Taylor, Tilley and Wilkins

CL/124 **COUNCILLOR MRS FARRINGTON**

At the behest of the Chairman all present stood for a minute's silence in memory of Councillor Mrs Farrington. Individual tributes were made by Councillors Wheeler, Richards, Mrs Coe, Mrs Wyatt and Swann. The Chief Executive also added condolences on behalf of Council staff.

CL/125 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Roberts (Conservative Group) and Dr Pearson and Rhind (Labour Group)

CL/126 **PRESENTATION**

The Chairman welcomed Mr Jim Allen, Chief Superintendent, Derbyshire Constabulary to the Meeting. The Chief Superintendent gave a presentation to Members, confirming his commitment to local policing and the Community Safety Partnerships, Safer Neighbourhood Teams and the retention of Swadlincote police station, also outlining the challenges facing the police. Members were assured that South Derbyshire, and the county itself, is a low crime environment, but invited Members to contact him with any issues.

The Chief Executive and Leader thanked Mr Allen for his attendance and the information imparted.

CL/127 **MINUTES OF ANNUAL COUNCIL**

The Open Minutes of the Council held on 19th January 2017 (Minute Nos. CL/102-CL/120) were approved as a true record.

Councillor Shepherd, in relation to Minute No.CL/103, queried the absence of planning appeal figures. The Chief Executive made reference to the

requirement to provide the figures at a future Council meeting and duly provided them:-

	Appeal site	Reference	Appeal	Council costs incurred at appeal (£)	Appeal result	Appellant costs awarded against council (£)
Delegated Refusals						
A	Newton Road, Winshill	9/2014/1039	Inquiry	13,795	Allowed	Nil
B	Acresford Road, Overseal	9/2015/0496	Hearing	2,250	Withdrawn	Nil
C	Cauldwell Road, Linton	9/2015/0129	Inquiry	9,950	Dismissed	Nil
	Total			£25,995		Nil
Committee Decisions (as per recommendation)						
D	New House Farm, Mickleover	9/2014/0249	Inquiry		Allowed	
E	Ticknall Road, Hartshorne	9/2014/1140	Inquiry	14,740	Dismissed	Nil
F	Main Street, Etwall	9/2015/0215	Written		Dismissed	Nil
G	Jawbone Lane, Melbourne (Bond Elm)	9/2014/1141	Inquiry	10,845 e	Allowed	Nil
	Total			£25,585 e		Nil
Committee Decisions (contrary to recommendation)						
H	New House Farm, Mickleover	9/2014/1136	Conjoined Inquiry with 9/2014/0249	38,000	Allowed	99,950
I	High Street, Linton	9/2013/0689	Inquiry	20,105	Allowed	Nil
J	Rosliston Road, Drakelow	9/2014/0948	Hearing	11,000	Allowed	Nil
K	Valley Road, Overseal	9/2014/0431	Hearing	16,049	Allowed	Nil
L	Linton Heath, Linton	9/2015/0426	Written		Allowed	14,995
M	Jawbone Lane, Melbourne (Linden)	9/2014/1145	Hearing	8,632	Dismissed	Nil
	Total			£93,786		114,945
	Grand Totals – all categories			£145,366 e		£114,945
	Total cost of committee decisions made contrary to recommendation and subsequently allowed at appeal (Cases H-L)		£200,099	Grand Total All Appeal Costs		£260,311 e

e = estimate

Councillor Shepherd referred to Minute No.CL/110 and Councillor Wilkins' request for information relating to council house sales. The Chief Executive provided the requested information:-

Council house sales 2015/16	17
Council new builds 2015/16	64

Councillor Wilkins queried the number sold in 2016/17 to date. The Chief Executive confirmed that a further 22 houses had been sold since April 2016.

CL/128 **DECLARATIONS OF INTEREST**

Councillor Atkin declared a pecuniary interest in relation to Item 10 Community Governance Review – Barrow upon Trent, Twyford & Stenson and Stenson Fields: Final Proposals, by virtue of his family owning farm land in the parished area of Barrow upon Trent, informing Council that he would leave the Chamber whilst this item was discussed.

On behalf of all Members, the Chairman declared a pecuniary interest in relation to Item 9) Council Tax Setting 2017/18, in accordance with Clause 14(4)(vi) of the Members' Code of Conduct.

Councillor Wilkins left the Meeting at 6.35pm.

CL/129 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council outlined a summary of events attended since the last meeting, including his latest Men United charity bike ride, tree planting at Rosliston Forestry Centre to mark Holocaust Day and at the Swadlincote golf centre, the Jack Bodell exhibition, the 100th anniversary celebrations at Woodville school and the Shrove Tuesday pancake races in Swadlincote.

CL/130 **ANNOUNCEMENTS FROM THE LEADER**

The Leader noted Councillor Rhind's continued absence and wished him a speedy recovery.

CL/131 **ANNOUNCEMENTS FROM HEAD OF PAID SERVICE**

The Chief Executive made reference to a letters received from the Burton Hospitals Trust and the local MP thanking the Council for its support following the Motion raised at the last Council Meeting.

CL/132 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council were informed that no questions had been received.

CL/133 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council were informed that no questions had been received.

CL/134 **SEALED DOCUMENTS**

27.01.17 11606 Transfer – 1 Council Houses, Main Street, Scropton
08.02.17 11634 Transfer – 10 New Road, Hilton
08.02.17 11636 Transfer – 29 Cleveland Close, Swadlincote

RESOLVED:

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

CL/135 COUNCIL TAX SETTING 2017/18

The Leader moved the resolutions contained in the report, commenting on the Council's budget, its financial position and the proposed level of Council Tax for 2017/18. The Leader stated that the Council's financial position is sustainable, with a good level of reserves and maintained services. The known reductions in core funding have been planned for in 2018/19, its impacts clear and presenting no imminent issues. However, the Leader emphasised the ongoing need to make savings and further efficiencies.

The Leader noted the revised criteria now applied to the New Homes Bonus, but given the continued growth and commitment to new homes in the District, the Council would be looking for improved Business Rates retention and enhanced regional funding to further improve facilities in South Derbyshire. Spending had been planned within the context of balanced budgets, allowing for the maintenance of assets as well as setting some resources aside for growth.

Turning to the Council Tax setting for 2017/18, the Leader emphasised the desire to keep any rises as low as possible, proposing an increase of 1.95% for South Derbyshire District Council services, an increase of £3 on Band D for the year. This, the Leader felt, represented good value for money and thanked the staff for their work during these challenging times for the Council.

Councillor Richards responded, commenting on the services the Council provides over and above its statutory responsibilities and its duty towards the elderly and vulnerable in the community. Councillor Richards also noted the need for adequate funding, the revisions to the New Homes Bonus in favour of social care funding, that funds were being withdrawn when most needed, with the impact this may have on the provision of services. Councillor Richards therefore felt there was no alternative to the proposed increase and stated that the labour Group would support the report's recommendations.

RESOLVED:-

- 1. *It be noted that on 12th January 2017, the Finance and Management Committee calculated the Council Tax Base 2017/18:***
 - (a) For the whole area as 31,647 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended by the Localism Act 2011).***
 - (b) For dwellings in those parts of its area to which a Parish Precept relates as 21,296.***
- 2. *Calculate that the Council Tax Requirement for the Council's own purpose for 2017/18 (excluding Parish Precepts) is £4,942,312.***

3. ***That the following amounts be calculated for the year 2017/18 in accordance with Sections 31 and 36 of the Localism Act 2011:***

(a) £47,839,416

Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish Councils.

(b) £42,141,023

Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.

(c) £5,698,393

Being the amount by which the aggregate of 3(a) above exceeds the aggregate of 3(b) above, calculated by the Council in accordance with Section 31A (4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

(d) £180.06

Being the amount at 3(c) above (Item R) all divided by Item T (1a above) calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts).

(e) £756,081

Being the aggregate amount of all Parish Precepts referred to in Section 34 (1) of the Act.

(f) £156.17

Being the amount at 3 (d) above less the result given by dividing the amount at 3 (e) above by Item T (1a above) calculated by the Council in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept relates.

4. ***To note that Parish Councils have issued precepts to the Council in accordance with Section 41 of Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in Schedule A.***

5. ***To note that the County Council, the Police and Crime Commissioner and the Fire and Rescue Service for Derbyshire, have issued Precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in Schedule B.***

6. ***That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Schedule C, as the amounts of Council Tax for 2017/18 for each part of its area and for each of the categories of dwellings, this being the aggregate of Schedules A and B.***
7. ***That in accordance with Section 52 (ZB) of the Local Government Finance Act 1992, the Council determines that the amount of council tax shown at 3 (f) of £156.17 is not excessive compared to 2015/16 and therefore there is no requirement for a local referendum.***

As required by the Council's Procedure Rules a recorded vote was taken:

The Members who voted for were: Councillors Atkin, Bambrick, Billings, Mrs Brown, Chahal, Mrs Coe, Coe, Mrs Coyle, Dunn, Ford, Grant, Mrs Hall, Harrison, Hewlett, MacPherson, Muller, Murray, Mrs Patten, Mrs Plenderleith, Richards, Shepherd, Smith, Southerd, Stanton, Mrs Stuart, Swann, Taylor, Tilley, Watson, Wheeler and Mrs Wyatt.

No Members voted against the above resolutions.

Councillor Atkin left the Chamber at 7.00pm.

CL/136 **COMMUNITY GOVERNANCE REVIEW – BARROW UPON TRENT, TWYFORD & STENSON AND STENSON FIELDS: FINAL PROPOSALS**

The Chief Executive presented the report to Council, detailing the options available to Members, namely Option 1) To take no action or Option 2) To determine the Final Proposals, as detailed at 3.11 to the report.

RESOLVED:-

- 1.1 ***Members noted the results of the Draft Proposals consultation.***
- 1.2 ***Members agreed to the publication of the results of the Draft Proposals consultation.***
- 1.3 ***Members considered and determined the outcomes of the Community Governance Review for Barrow upon Trent, Twyford & Stenson and Stenson Fields, as outlined at 3.11 to the report, namely:***
 - a) ***Agree the boundaries of the parish council areas.***
 - b) ***Determine whether an unparished area should be constituted as a parish and have a parish council (or other body) created.***
 - c) ***Determine the name and style of any newly constituted parish.***
 - d) ***Determine whether the number of parish councillors on an existing parish council should be changed.***
 - e) ***Determine whether or not, as a result of the Review, the area of any other existing neighbouring parish should be retained, merged, altered or abolished.***

- f) Determine whether a parish council should be warded or whether existing parish wards should be altered to reflect changes in the local community.*
- g) Determine whether the name of a parish council should be changed.*
- h) Determine whether existing parish councils should be grouped.*

Members resolved that, in relation to a) above, the boundaries relating to the parishes of Barrow upon Trent and Stenson Fields and the unparished area of Twyford & Stenson be revised as requested.

With regard to all other proposals, as detailed at b) to h) above, Members resolved to take no action, as there was no or insufficient evidence to support such revisions or actions.

1.4 Members approved the publication of the Final Proposals.

1.5 Members delegated authority to the Chief Executive, in consultation with the Chairman of the Council, to make the necessary Reorganisation of Community Governance Order to implement the final recommendations from the Review.

Councillor Atkin returned to the Chamber at 7.15pm.

CL/137 **OPEN MINUTES**

Council received and considered the open minutes of its Committees.

RESOLVED:-

That the open minutes of the following Committees were approved as a true record:-

<i>Etwell Joint Management Committee</i>	<i>09.01.17</i>	<i>EL/59-EL/65</i>
<i>Housing and Community Services:</i>		
<i>Special – Budget</i>	<i>10.01.17</i>	<i>HCS/67-HCS/72</i>
<i>Finance and Management:</i>		
<i>Special – Budget</i>	<i>12.01.17</i>	<i>FM/105-FM/112</i>
<i>Planning</i>	<i>17.01.17</i>	<i>PL/140-PL/158</i>
<i>Overview and Scrutiny</i>	<i>18.01.17</i>	<i>OS/43-OS/50</i>
<i>Licensing and Appeals Sub-Committee</i>	<i>19.01.17</i>	<i>LAS/33-LAS/35</i>
<i>Housing and Community Services</i>	<i>02.02.17</i>	<i>HCS/73-HCS/86</i>
<i>Planning</i>	<i>07.02.17</i>	<i>PL/159-PL/175</i>
<i>Overview and Scrutiny</i>	<i>08.02.17</i>	<i>OS/51-OS/60</i>
<i>Finance and Management</i>	<i>16.02.17</i>	<i>FM/117-FM/126</i>

CL/138 **THE COMPOSITION OF COMMITTEES, SUB-COMMITTEES & WORKING PANELS FOR THE REMAINDER OF THE MUNICIPAL YEAR**

Council were informed that in relation to the Overview and Scrutiny Committee, Councillor Swann had been appointed as Chairman, Councillor

Billings as Vice-Chairman and that Councillor Atkin had also joined the committee.

With regard to Housing and Community Services Committee Council was also informed that Councillor MacPherson had replaced Councillor Swann.

CL/139 **COMPOSITION OF SUBSTITUTE PANELS**

The Leader confirmed the following change in substitute panel compositions:
Planning Committee: Councillor Mrs Patten to replace Councillor Wheeler

CL/140 **REPRESENTATION ON OUTSIDE BODIES**

Council were informed that no changes had been made to representations on outside bodies since its last meeting.

Councillor Richards informed Council that he had been appointed to the NHS Foundation Trust for South Derbyshire.

CL/141 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined under the paragraphs of Part 1 of Schedule 12A of the Act as indicated in the reports of Committees.

EXEMPT MINUTES OF ANNUAL COUNCIL

The Exempt Minutes of the Council Meeting held on 19th January 2017 (Minute Nos. CL/121-CL/123) were approved as a true record.

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

Council was informed that no questions had been received.

EXEMPT MINUTES

Council received and considered the Exempt Minutes of its committees.

RESOLVED:-

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

**Finance and Management:
Special – Budget**

<i>Licensing and Appeals Sub-Committee</i>	19.01.17	LAS/36-LAS/37
<i>Housing and Community Services</i>	02.02.17	HCS/87-HCS/88
<i>Planning</i>	07.02.17	PL/176-PL/177
<i>Finance and Management</i>	16.02.17	FM/127-FM/130

The meeting terminated at 7.30pm.

COUNCILLOR P MURRAY

CHAIRMAN OF THE DISTRICT COUNCIL

REPORT TO:	COUNCIL	AGENDA ITEM: 7
DATE OF MEETING:	6th APRIL 2017	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 595848 / 595722	DOC:U:\JAYNE\Commtee\COMM REP\Sealed Docs report 6 Apr 17.docx
SUBJECT:	SEALED DOCUMENTS	REF: J. BEECH
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>
24.02.17	11654	Transfer – 3 Poplar Avenue, Midway
24.02.17	11666	Transfer – 7 Dundee Road, 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:	COUNCIL	AGENDA ITEM: 8
DATE OF MEETING:	6th APRIL 2017	CATEGORY:
REPORT FROM:	DIRECTOR OF FINANCE & CORPORATE SERVICES	OPEN
MEMBERS' CONTACT POINT:	KEVIN STACKHOUSE (01283 595811) Kevin.stackhouse@south-derbys.gov.uk	DOC: u/ks/pay and pensions/pay policy statement/cover
SUBJECT:	PAY POLICY STATEMENT 2017/18	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

1.1 That the Pay Policy Statement for the financial year 2017/18 is approved for publication.

2.0 Purpose of Report

2.1 The Localism Act 2011 requires all local authorities to publish a Pay Policy Statement on a yearly basis. Regulations require the Full Council to consider and approve the Statement for publication in accordance with the Code of Practice on Transparency in Local Government.

3.0 Detail

3.1 The Pay Policy Statement (which is attached) reflects the Council's current organisation structure.

3.2 The pay multiples in Section 6 of the Statement are based on the latest pay scales. The multiple between the pay of the Council's highest paid employee and the lowest paid employees is 1:7.75, a slight reduction compared to 1:8.05 in 2016/17.

4.0 Financial Implications

4.1 There are no financial implications arising from this report.

5.0 Corporate Implications

5.1 None directly.

6.0 Community Implications

6.1 The aim of the Pay Policy Statement is to ensure that the Council's approach to setting pay is accessible and to enable local people to take an informed view of whether local decisions on all aspects of remuneration are fair and make the best use of public funds.

7.0 Conclusions

7.1 The Localism Act 2011 requires the Council to have and publish annually a Pay Policy Statement on its website.

8.0 Background Papers

8.1 Localism Act 2011.

PAY POLICY STATEMENT 2017/18

Directorate: Chief Executive

Date: April 2017

Version Control

Version	Description of version	Effective Date
1.0	Pay Policy Statement 2014/2015	1 st April 2014
2.0	Pay Policy Statement 2015/2016	1 st April 2015
3.0	Pay Policy Statement 2016/2017	1 st April 2016
4.0	Pay Policy Statement 2017/2018	1 st April 2017

Approvals

Approved by	Date
Full Council	6 th April 2017

Associated Documentation

Description of Documentation

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1.0 INTRODUCTION

- 1.1 This Pay Policy Statement for 2017/2018 has been produced in accordance with the requirements of the Localism Act 2011, which requires that a Pay Policy Statement is published annually. The Council's statement takes into account the guidance provided as well as the provisions of the Act.
- 1.2 Local Authorities should include in their Pay Policy Statements information in relation to:
- The remuneration of their most senior employees.
 - The remuneration of their lowest paid employees.
 - The relationship between the remuneration of their most senior employees and that of other employees.
- 1.3 This Pay Policy Statement is also linked to the Council's Workforce Development Strategy.

2.0 STATUS OF THE PAY POLICY STATEMENT

- 2.1 The Act makes it clear that the Pay Policy Statement for each financial year must be approved by Full Council. The approved policy will be published on the Council's website.
- 2.2 The Pay Policy Statement is reviewed on an annual basis. Each new version of the policy will be approved by the Full Council before the start of each financial year. This will take place at the nearest meeting of the Full Council to the 1st April each year.
- 2.3 The Pay Policy Statement can be amended during the course of a financial year with approval by Full Council.

3.0 TRANSPARENCY AND AUTONOMY

- 3.1 The Council recognises and welcomes the aims behind the requirement for a Pay Policy Statement which are to:
- Ensure that the Council's approach to pay is accessible for all.
 - Enable local people to take an informed view of whether local decisions by the Council are fair and make the best use of public funds.
- 3.2 The Council also welcomes the Government's recognition that each local authority remains an employer in its own right and has the autonomy to make decisions on pay that are appropriate to local circumstances and continue to deliver value for money for the community.

4.0 REMUNERATION OF THE COUNCIL'S SENIOR EMPLOYEES

4.1 The Council's senior employees are:

- Chief Executive and Head of Paid Service.
- Three posts at a Director level. These posts report to the Chief Executive. The Directors are:
 - Director of Housing and Environmental Services
 - Director of Community and Planning Services.
 - Director of Finance and Corporate Services. This role also undertakes the role of Chief Finance Officer (CFO) in accordance with S151 of the 1972 Local Government Act that requires the Council to make arrangements for the proper administration of its financial affairs.

4.2 For information on the Council's Monitoring Officer please see paragraph 5.10.

Background

4.3 The Chief Executive and Directors are the Council's Senior Management Team. These senior employees are responsible for working with elected politicians to determine the overall strategic direction of the Council, to manage the Council's financial and other resources, to develop the scale, nature, efficiency and effectiveness of all the services provided by the Council and to provide day-to-day management of those services.

Overall policy on the remuneration of senior posts

4.4 The Council's overall approach to the remuneration of its senior posts is based on:

- Compliance with equalities (including equal pay) legislation.
- Ensuring that its overall remuneration packages align with comparable posts in local government whilst taking into account:
 - Relevant pay data from similar authorities to allow meaningful benchmarking to be undertaken.
 - The responsibility of posts and their level in the Council.
- The trend towards slimmer senior management structures comprising posts with wider spans of responsibilities.
- National terms and conditions of employment that apply to senior posts.
- External professional advice provided by the Local Government Association

4.5 The Council will seek to maintain this overall approach by periodically monitoring pay data provided by such organisations as the Local Government Association. This period is determined by the Council. The last review of pay for senior officers was completed in May 2013 as a result of a restructure of the Council's establishment which included a reduction in posts at a senior level.

- 4.6 In terms of pay differentials for its senior posts, the Council recognises that:
- The role of Chief Executive and Head of Paid Service leads the Council workforce and has the greatest level of accountability. This post therefore warrants the highest level of pay in the Council.
 - The Directors report directly to the Chief Executive. These posts have a wide span of responsibility for a number of service areas and in turn have a number of managers reporting to them. These posts therefore warrant the next highest pay level below that of the Chief Executive and Head of Paid Service.

Developing pay scales for senior posts

- 4.7 The Council has determined the pay scales for its senior posts locally. It is the Council's policy that all pay scales are approved by the Council's Finance and Management Committee. With regard to the latest review of the pay scales for senior posts the Council a Remuneration Panel was appointed consisting of Elected Members to develop and recommend, in accordance with a project brief, the relevant pay scales.
- 4.8 An independent organisation, the Local Government Association (LGA), was commissioned by the Council to advise the Remuneration Panel.
- 4.9 Part of the LGA's remit is to assist local authorities to create pay solutions. Its work also leads to the development of national conditions of service and pay scales. The LGA has access to national pay data surveys e.g. the salary and numbers surveys for the Joint National Councils for Chief Executives and for Chief Officers. Using its experience of developing pay models and pay scales the LGA identified relevant pay data which enabled the Council's pay scales for the Chief Executive's post and the Directors posts to be benchmarked against the pay scales for similar posts in comparable District Councils.
- 4.10 Based on this information recommendations were made to the Finance and Management Committee by the Remuneration Panel on the pay scales for the Council's senior posts. The current pay scales for the Council's senior posts are discussed below.

Remuneration of Senior Posts

- 4.11 The pay scale for the Chief Executive and Head of Paid Service consists of five incremental points. Progression through the scale is usually on an annual basis that takes effect on 1st April each year.
- 4.12 The current pay scale for the Council's Directors consists of six incremental points. Progression through the scale is usually on an annual basis that takes effect on 1st April each year.
- 4.13 The scales have a bar beyond which further progression is subject to the post holder meeting stated performance criteria.

- 4.14 Details of actual senior officer remuneration are included in the Council's Annual Statement of Accounts (**Note 26**)
- 4.15 The last national pay award for senior officers was in April 2016.

Local Government Pension Scheme (LGPS)

- 4.16 Membership of the Local Government Pension Scheme is subject to the rules of the scheme and contribution rates are set by legislation. When individuals are already in receipt of a local government pension they are subject to the rules on abatement of pension within the scheme.

Pay awards

- 4.17 The salaries of senior posts are increased in line with any national pay award agreed by either the Joint National Council for Chief Executives or the Joint National Council for Chief Officers whichever is appropriate. Any changes are normally implemented with effective from 1st April each year.

Overtime, etc.

- 4.18 There are no other additional elements of remuneration in respect of overtime, flexi-time, bank holiday working, stand-by payments paid to the above senior posts as they are expected to undertake duties outside their contractual hours and working patterns without additional payment.

Remuneration of Senior Employees on Recruitment

- 4.19 The Council's practice is that any newly appointed senior manager will start at the lowest pay point in the pay range for their job, other than when the particular skills and experience of the successful candidate merit a higher starting salary.
- 4.20 In line with the Council's procedure for senior officer appointments the appointment of a Chief Executive must be approved by Full Council.

5.0 EMPLOYEES IN POSTS BELOW A DIRECTOR

Key Principles

- 5.1 The Council aims to provide fair and equitable remuneration arrangements which enable it to recruit, retain, motivate and develop staff with the skills and capabilities necessary to ensure the continued provision of high quality services that are cost effective and provide value for money.
- 5.2 The Council's employment policies comply with the provisions of the Equality Act 2010, which includes equal pay, and other relevant employment legislation.
- 5.3 Currently an employee's pay is based on either a pay scale, through which employees may progress until the top of the scale is reached, or a fixed salary point. In some cases progression through a grade is dependent upon specified criteria (e.g. the attainment of a required qualification). The Council's pay structure is based on the national pay spine, as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service. This structure has been subject to Equal Pay Audits.
- 5.4 The Council has recently reviewed its pay and grading structure for the posts below Director level, which included undertaking a job evaluation exercise. This was carried out by an external, independent, consultant in conjunction with the recognised Trade Unions and members of the Senior Management Team. A revised pay and grading structure, for posts below Director level, was implemented with effect from 1st April 2016.

National Conditions of Service

- 5.5 The employment terms and conditions of service for most of the Council's employees below Director/Chief Officer level are those of the National Joint Council (NJC) for Local Government Services as amended and/or supplemented by any local agreements with the Council. Any annual pay award is agreed by this NJC and is usually effective on 1st April each year.
- 5.6 The exception is craft employees, whose pay and conditions of service is determined by the Joint Negotiating Committee (JNC) for Local Authority Craft & Associated Employees. Pay for this group is set nationally according to trade type, i.e. it is a fixed - point salary with no incremental points. Pay awards are also negotiated nationally by this JNC and are normally effective from 1st April each year. Following a TUPE transfer of staff the Council also have a small number of staff on terms and conditions of employment that are outside national conditions of service but that are protected under the terms of the TUPE regulations and existing employment law.

Definition of lowest paid employees

- 5.7 The definition of the “lowest-paid employees” for the purposes of this Pay Policy Statement is those full time employees who are paid on spinal column point 12 of Scale 2.
- 5.8 The current annual full-time equivalent value of this pay level, based on a 37 hour standard working week, is £16,123 per annum (last pay award 1st April 2017).

Remuneration of lowest paid employees

- 5.9 For the purposes of this policy statement, remuneration includes the employee’s basic annual salary and any allowances or other similar payments, benefits in kind, any increases or enhancements to any pension entitlement and any termination or other severance payments.

The Council’s Monitoring Officer

- 5.10 Although not a senior post as defined above, the Council’s role of Legal and Democratic Services Manager has the additional statutory responsibilities of Monitoring Officer. To recognise the additional responsibility of undertaking this statutory role the Legal and Democratic Service Manager receives a supplement of £15,453 per annum, to their substantive pay. This supplement is subject to an annual review, the last review having been in May 2016.

Modern Apprentices

- 5.11 The Council offers Modern Apprenticeships in line with the national scheme. Apprentices are paid less than the Council’s lowest paid employees, which reflects the particular nature of their role, together with experience and training requirements.

Other elements of remuneration

- 5.12 The other elements of remuneration which it is the Council’s policy to offer to its employees is set out in the table in Appendix One. The element of remuneration offered depends on the job role and any job-related requirements e.g. to have a relevant qualification or travelling in order to perform the duties of the job.

6.0 PAY RELATIONSHIPS

- 6.1 The Council believes that the principle of fair pay is important to the provision of high quality and well-managed services and is committed to ensuring fairness and equity in its remuneration practices. The Council's pay policies, processes and procedures are designed to ensure that pay levels are appropriately aligned with, and properly reflect, the relative demands and responsibilities of each post, together with the knowledge, skills and capabilities necessary to ensure that the post's duties are undertaken to the required standard, as well as taking account of relevant market considerations. This includes ensuring that there is an appropriate relationship between the pay levels of its senior managers and of all other employees.

Pay differences - senior posts

- 6.2 The pay differential between the senior management posts has been set following research undertaken on behalf of the Council by the LGA, an independent organisation and subsequently approved by the Council's Finance and Management Committee.

Pay multiples

- 6.3 A "pay multiple" is the ratio between the highest paid salary and median average salary of the whole of the Council's workforce. On this basis, the current pay multiple is **1:5.45** (2016/17 – 1:5.80). This is based on the median basic salary for the whole workforce of £22,658 pa (£20,849 in 2016/17).
- 6.4 The pay multiple between the basic salary and allowances of its highest paid employee and the lowest paid employees, as defined in this statement is **1:7.75** (2016/17 – 1:8.05)

7.0 DECISIONS ON PAY

- 7.1 The Council recognises the importance of ensuring openness and transparency and high standards of corporate governance, with clear lines of accountability, in its pay decision-making processes and procedures. Any pay-related decisions must be capable of public scrutiny, be able to demonstrate proper and appropriate use of public funds and ensure value for money. The arrangements adopted by the Council are designed to reflect these requirements, as well as ensuring compliance with all relevant legislation and other statutory regulation.
- 7.2 When the need arises for the Council to appoint a Chief Executive and Head of Paid Service or Director, the Council will comply with its Senior Officer Appointment Procedure for external appointments. This includes the appointment of a Recruitment and Selection Panel of Elected Members.
- 7.3 The authority to delegate the appointment to a Recruitment and Selection Panel is sought in the case of:
- Head of Paid Service - from Full Council.
 - Director - from the Finance and Management Committee.
- 7.4 The appointment of the Chief Executive (Head of Paid Service) will require a decision by Full Council.
- 7.5 Appointments below Director are made by a panel of appropriate managers.

8.0 AMENDMENTS TO THIS PAY POLICY STATEMENT

- 8.1 This pay policy statement relates to the financial year 2017/18.
- 8.2 The Council may agree any amendments to this pay policy statement during the financial year to which it relates.

9.0 PUBLICATION OF AND ACCESS TO INFORMATION

- 9.1 This pay policy Statement will be published on the Council's website after it has been approved by Full Council. Any subsequent amendments made during the financial year will also be similarly published.
- 9.2 For further information about this pay policy statement please contact F McArdle, Chief Executive (01283 595700) or email frank.mcardle@south-derbys.gov.uk

Appendix One

OTHER PAYMENTS AND ALLOWANCES

The Council operates a transparent pay structure that reflects the relevant duties and responsibilities of each post within the organisation. The Council also recognises that it must pay other payments and allowances to certain individuals or groups of employees to reflect their duties or to attract and/or retain employees. Any payments or allowances are open to all employees. The Council considers this to be justified on the basis that to maintain services for the Community demands a properly resourced and skilled workforce.

Pay Progression

For most posts on pay scales incremental progression through each scale will be applied on the 1st April each year. Employees with less than six months service in the Scale by 1st April will be granted their first increment six months after their appointment, promotion or re-grading. The exception would be where an employee's salary on the 1st April following, promotion or re-grading would be less than one spinal column point in excess of the salary they would have received on that day in their old Scale with the Council; in which case they shall be entitled to their first increment on the 1st April.

There are some posts that have a bar that prevents incremental progression through the Scale. To go beyond the bar the post holder must satisfy certain criteria (e.g. the attainment of specified competencies or the attainment of a required qualification).

Market Supplements

The Council recognises that pressures in the labour market can mean that pay levels for a particular type of job or profession can be such that the Council's normal pay level would not be competitive to enable it to recruit or retain an employee in that function. In that case, the Council would consider the application of a market supplement.

Local Government Pension Scheme (LGPS)

There are a number of discretions available under the Local Government Pension Scheme which is applicable to all employees. The details of these can be seen in the Council's published Policy Statement on Pensions Discretions.

These discretions were reviewed in June 2014, to take into consideration the changes in the Local Government Pension Scheme and which were approved by Finance and Management Committee on 26th June 2014.

The Council also has policies on Flexible Retirement, Redundancy, Voluntary Redundancy and Retirement on Efficient Exercise Grounds.

Employees who are members pay a contribution to the LGPS which is based on their annual full-time equivalent pensionable pay (including pensionable allowances). Contribution rates are nationally set and currently range from 5.5% and 12.5%.

The Council’s contribution towards the pension scheme for the year 2017/18 is 13.8% of an individual’s pensionable pay. In addition, the Council will make a lump sum payment during the year towards the past service deficit on the current Pension Fund. This is estimated at approximately £1.1million for 2017/18.

Payments on Termination of Employment

The Council’s approach to the termination of employment of Senior Officers (and all other employees) is set out in the:

- ❑ The discretions the Council has adopted under the regulations of the Local Government Pension Scheme (see above table).
- ❑ Its policies on Flexible Retirement, Redundancy, Voluntary Redundancy and Retirement on Efficient Exercise Grounds.

All payment/costs arising from the application of the above must be approved beforehand by the Council’s Finance and Management Committee.

Removal/Relocation expenses

Where employees need to move house in order to take up an appointment with the Council, the Council will reimburse their removal, legal and other associated relocation costs in accordance with its Relocation Policy. The policy requires repayment in full if the employee leaves within 2 years of appointment.

Additional responsibility payments

Where employees are required to undertake additional responsibilities for a temporary period of time, they may receive an additional payment in recognition of these. This policy does not apply to Directors and above.

Mileage payments

Specific posts identified by the Council attract a Car Allowance. These are paid in accordance with nationally agreed rates set by the NJC for Local Government Services. They are:

	451 to 999cc	1000 to 1199cc	1200 to 1450cc
Essential Users			
Lump sum per annum	£846	£963	£1,239
Per mile first 8,500	36.9p	40.9p	50.5p
Per mile after 8,500	13.7p	14.4p	16.4p

Casual Users			
Per mile first 8,500	46.9p	52.2p	65.0p
Per mile after 8,500	13.7p	14.4p	16.4p

The above rates are current at 1st April 2017, but may be subject to change during the period of this Pay Policy Statement as a result of changes made by the NJC for Local Government Services.

Professional Subscriptions

The Council pays one professional subscription in relation to specific posts. This applies where it is a requirement of the post for the employee to be a member of a professional body and it is a payment of the annual membership only.

Reimbursement of Subsistence or Other Expenses

In accordance with the requirements of the National Conditions of Service set by the NJC for Local Government Services, the Council makes provision for the reimbursement, up to a maximum specified limit, of approved expenses by employees. The expenses covered are as follows:

Subsistence:	Breakfast	£4.77
	Lunch	£6.57
	Tea	£2.59
	Evening Meal	£8.14
Car Parking:		Fee incurred

Certain conditions must be met for approval of reimbursement of the above expenses.

Mobile Telephones

Mobile telephones are provided to employees when necessary for them to undertake their duties effectively and safely. The Council pays the cost of line rental, and business calls. Employees are required to pay for any personal use.

Landline Telephones

A scheme of reimbursement applies to certain officers who are required to have a landline installed, in particular those officers who are listed in the Council's Emergency Plan.

Election Fees

The Chief Executive receives fee payments pursuant to his appointment as Returning Officer at elections. The fees paid in vary according to type of election, the size of the electorate and number of postal voters.

Fee payments for national and European elections are set by central government and are, in effect, not paid by the Council, as the fees are reclaimed. Separate payments are made to the Deputy Returning Officer(s) and other members of staff who work as part of the elections team, and are commensurate with time spent undertaking election duties.

Payments for Additional Working

The NJC Conditions of Service make provision for employees graded up to spinal column point 28 (currently £24,964 pa) who undertake work outside of normal working hours, to receive appropriate overtime payments. Those above point 28 are permitted to take time off in lieu for any agreed additional hours worked.

This provision is not available to senior officers whose Conditions of Service are determined by the JNC for Chief Executives or Chief Officers.

REPORT TO:	COUNCIL	AGENDA ITEM: 9
DATE OF MEETING:	6th APRIL 2017	CATEGORY: RECOMMENDED
REPORT FROM:	DIRECTOR OF FINANCE & CORPORATE SERVICES	OPEN
MEMBERS' CONTACT POINT:	KEVIN STACKHOUSE (01283 595811) Kevin.stackhouse@south-derbys.gov.uk	DOC: u/ks/budgets/planning application fees the government's offer
SUBJECT:	PLANNING APPLICATION FEES: THE GOVERNMENT'S OFFER	REF
WARD (S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That Council consider accepting the Government's offer to increase fees for planning applications by 20% from July 2017 and commit to investing the additional income in Planning Services.
- 1.2 That if the offer is accepted, Council give approval to the Section 151 Officer, under Section 230 of the Local Government Act 1972, to commit and submit information of the 2017/18 budget that demonstrates the additional fee income being spent on planning services.

2.0 Purpose of Report

- 2.1 To consider a proposal by the Government that would allow local planning authorities to increase their planning application fees by 20% in order to generate additional resources for the Planning Service.

3.0 Detail

- 3.1 The Government published a White Paper for Housing on 7th February entitled "*Fixing our broken housing market*". This included proposals for boosting local authority capacity and capability to improve the speed and quality of processing planning cases whilst deferring unnecessary appeals.
- 3.2 More recently, the Government wrote to all councils outlining their specific proposals. Effectively, the proposal is to increase nationally set planning fees by 20% to increase resources for planning. The Government has requested that all councils formally respond to their offer.
- 3.3 If the offer is accepted, it is intended that the additional income should be retained by planning departments and that existing baseline and income assumptions will not be adjusted down as a result during the current Parliament.

- 3.4 The Government views this as an opportunity for all councils to make improvements to their resourcing, leading to better services, improved performance and greater capacity to deliver growth as set out in the White Paper.
- 3.5 If a council does not accept the Government's offer, the existing fee structure will remain in place. Where a council does accept the offer but does not comply with the assurances it has provided, the Secretary of State will consider reducing the fee level for that council back to the original fee through a change in regulations.

4.0 Financial Implications

- 4.1 If the offer is accepted, the following statement would need to be submitted to the Government.

	2016/17 £'000	2017/18 £'000
Estimated expenditure on Development Management	1,054	1,141
Estimated income generated from planning fees	850	750
Estimated additional income from higher fees	n/a	150

*Note: 2016/17 is Estimated Out-turn based on figures to January 2017
2017/18 is the approved Base Budget*

- 4.2 Clearly, a 20% increase in fees would generate a fairly sizeable income stream based on the current base budget included in the Council's Medium-Term Financial Plan.
- 4.3 If accepted, the Council should demonstrate that the additional income is being invested in planning services and in particular "development management". This would be monitored through the Council's financial planning and budget monitoring process.

5.0 Corporate and Community Implications

- 5.1 It has been assumed that all current fees set nationally under the Town and Country Planning Regulations 2012 would be increased by 20%. There are a range of fees depending on the type of application and number of dwellings involved.
- 5.2 For example, the current application fee for an individual household to alter or extend their property is £172; this would rise to £206. For a developer with a site containing up to 50 new dwellings, the application fee would rise from approximately £19,000 to around £23,000.

6.0 Background Papers

- 6.1 The Government's Housing White Paper: "*Fixing or broken housing market*".

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<https://www.gov.uk/government/publications/fixing-our-broken-housing-market>

REPORT TO:	COUNCIL	AGENDA ITEM: 10
DATE OF MEETING:	6 th APRIL 2017	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN PARAGRAPH NO: N/A
MEMBERS' CONTACT POINT:	ARDIP KAUR (ext.5715) Ardip.Kaur@south-derbys.gov.uk	DOC:
SUBJECT:	CYCLE OF MEETINGS 2017/18	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

1.1 That the cycle of Meetings for 2017/18 be approved.

2.0 Purpose of Report/Detail

2.1 To consider the cycle of Meetings for 2017/18 attached at **Appendix A**.

3.0 Financial Implications

3.1 None.

4.0 Corporate Implications

4.1 None.

5.0 Community Implications

5.1 None.

6.0 Background Papers

6.1 None.

COMMITTEE AND COUNCIL MEETINGS 2017/18

Committee	Day	Date
ANNUAL COUNCIL	Thursday	18.05.17
CIVIC COUNCIL	Thursday	25.05.17
Environmental & Development Services	Thursday	01.06.17
Planning	Tuesday	06.06.17
Housing & Community Services	Thursday	08.06.17
Audit Sub	Wednesday	14.06.17
Finance & Management	Thursday	15.06.17
Overview & Scrutiny	Wednesday	21.06.17
Finance & Management (Special – Final Accounts)	Thursday	22.06.17
Planning	Tuesday	27.06.17
COUNCIL	Thursday	29.06.17
Etwell JMC	Wednesday	12.07.17
Planning	Tuesday	18.07.17
Finance and Management (Special)	Thursday	20.07.17
Planning	Tuesday	08.08.17
Environmental & Development Services	Thursday	17.08.17
Housing & Community Services	Thursday	24.08.17
Finance & Management	Thursday	31.08.17
Planning	Tuesday	05.09.17
Overview & Scrutiny	Wednesday	06.09.17
Audit Sub	Wednesday	20.09.17
Finance & Management (Special - Final Accounts) 5pm	Thursday	21.09.17
COUNCIL	Thursday	21.09.17
Planning	Tuesday	26.09.17
Etwell JMC	Wednesday	27.09.17
Environmental & Development Services	Thursday	28.09.17
Housing & Community Services	Thursday	05.10.17
Finance & Management	Thursday	12.10.17
Planning	Tuesday	17.10.17
Overview & Scrutiny	Wednesday	18.10.17
COUNCIL	Thursday	02.11.17
Planning	Tuesday	07.11.17
Environmental & Development Services	Thursday	16.11.17
Housing & Community Services	Thursday	23.11.17
Planning	Tuesday	28.11.17
Overview & Scrutiny	Wednesday	29.11.17
Finance & Management	Thursday	30.11.17
Audit Sub	Wednesday	13.12.17
Planning	Tuesday	19.12.17
Environmental & Development Services (Special - Budget)	Thursday	04.01.18
Housing & Community Services (Special – Budget)	Tuesday	09.01.18
Etwell JMC	Wednesday	10.01.18
Finance & Management (Special – Budget)	Thursday	11.01.18
Planning	Tuesday	16.01.18
Overview & Scrutiny	Wednesday	17.01.18
COUNCIL	Thursday	18.01.18

COMMITTEE AND COUNCIL MEETINGS 2017/18

Environmental & Development Services	Thursday	25.01.18
Overview & Scrutiny	Wednesday	31.01.18
Housing & Community Services	Thursday	01.02.18
Planning	Tuesday	06.02.18
Audit Sub	Wednesday	14.02.18
Finance & Management	Thursday	15.02.18
COUNCIL	Monday	26.02.18
Planning	Tuesday	27.02.18
Environmental & Development Services	Thursday	01.03.18
Housing & Community Services	Thursday	08.03.18
Finance & Management	Thursday	15.03.18
Planning	Tuesday	20.03.18
Audit Sub	Wednesday	21.03.18
Overview & Scrutiny	Wednesday	21.03.18
Planning	Tuesday	10.04.18
Etwall JMC	Wednesday	11.04.18
COUNCIL	Thursday	12.04.18
Environmental & Development Services	Thursday	19.04.18
Housing & Community Services	Thursday	26.04.18
Planning	Tuesday	01.05.18
Finance & Management	Thursday	03.05.18
ANNUAL COUNCIL	Thursday	17.05.18
CIVIC COUNCIL	Thursday	24.05.18

PLANNING COMMITTEE

28th February 2017

PRESENT:-

Conservative Group

Councillor Roberts (Chairman), Councillor Mrs Brown (Vice Chairman) and Councillors Atkin, Ford, Mrs Hall, Harrison, Councillor Murray (substituting for Councillor Mrs Coe), Stanton and Watson

Labour Group

Councillors Dr Pearson, Shepherd, Southerd and Tilley

PL/178 **APOLOGIES**

Apologies were received from Councillor Mrs Coe (Conservative Group).

PL/179 **DECLARATIONS OF INTEREST**

Councillor Harrison declared a prejudicial interest in Items 1.1 and 1.2 by virtue of being a Governor at the Sale and Davys Primary School in Barrow upon Trent.

Councillor Watson declared a personal interest in Item 1.7 and 1.8 on behalf of all Members of the Committee, by virtue of being an acquaintance of the applicant.

PL/180 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

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

MATTERS DELEGATED TO COMMITTEE

PL/181 **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/182 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 56**

DWELLINGS ON LAND AT SK2731 3157 WILLINGTON ROAD ETWALL DERBY

It was reported that members of the Committee had visited the site earlier in the day

Mr Tim Dean (applicant) attended the Meeting and addressed Members on this application.

The Planning Services Manager informed the Committee of a minor revision to the printed version of the recommendation and presented a summary of the analysis of the proposed development.

RESOLVED:-

That planning permission be refused as set out in the report of the Director of Community & Planning Services.

Councillor Harrison left the Chamber at 6:15pm

PL/183 **DEMOLITION OF EXISTING DWELLING (FORMER VICARAGE) AND THE ERECTION OF 2 NO DWELLINGS AT 11 TWYFORD ROAD BARROW ON TRENT DERBY**

It was reported that members of the Committee had visited the site earlier in the day.

Mrs Anne Heathcote (objector) and Ms Alexis Tysler (applicant's agent) attended the Meeting and addressed Members on this application.

The Area Planning Officer presented the report to Committee highlighting that the proposed development would be situated within the settlement boundary. It was reported that the current building displayed little architectural association with the historic character of the village; therefore, the proposal for demolition would offer the opportunity of a replacement to provide an enhancement of the conservation area.

Councillor Watson addressed the Committee as Ward Member for Aston-on-Trent, drawing attention to the surrounding properties and highlighting that the proposed development would not be in line with the character or style of the local vernacular.

Members raised concerns about the size, materials and the number of dwellings proposed. Further clarification was also sought on drainage, retention/removal of the stone wall and the location of refuse bins. These matters were addressed by the Area Planning Officer.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/184 **RELEVANT DEMOLITION CONSENT FOR DEMOLITION OF EXISTING DWELLING (FORMER VICARAGE) AT 11 TWYFORD ROAD BARROW ON TRENT DERBY**

This application was considered jointly with the application above.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

Councillor Harrison returned to the Chamber at 6:45pm

PL/185 **CONSTRUCTION OF NEW OUTDOOR HUB AND ASSOCIATED INFRASTRUCTURE INCLUDING SERVICES, ACCESS ROADS (INCLUDING DEMOLITION OF SECTION OF EXISTING PARK BOUNDARY WALL TO PROVIDE ACCESS), CAR PARKING, FOOTPATHS AND DRAINAGE ALONG WITH CHANGE OF USE OF LITTLE TOWN LEYS FROM AGRICULTURAL LAND TO CAR PARKING AT CALKE ABBEY MAIN STREET TICKNALL DERBY**

It was proposed that this application be deferred for a site visit.

The registered speakers opted to return when the matter was rescheduled.

RESOLVED:-

That the application be deferred to allow for a site visit to be conducted.

PL/186 **LISTED BUILDING CONSENT FOR THE DEMOLITION OF SECTION OF EXISTING PARK BOUNDARY WALL TO PROVIDE ACCESS TO A NEW OUTDOOR HUB AND ASSOCIATED INFRASTRUCTURE AT CALKE ABBEY MAIN STREET TICKNALL DERBY**

It was proposed that this application be deferred for a site visit.

The registered speakers opted to return when the matter was rescheduled.

RESOLVED:-

That the application be deferred to allow for a site visit to be conducted.

PL/187 **THE RETENTION OF FRONT GARDEN WALL AND RAISED GROUND BEHIND AT 183 SWARKESTONE ROAD CHELLASTON DERBY**

It was proposed that this application be deferred for a site visit.

RESOLVED:-

That the application be deferred to allow for a site visit to be conducted.

PL/189 **THE ERECTION OF AN EXTENSION TO EXISTING MODULAR BUILDING AT ATC HUT JOHN STREET SWADLINCOTE**

It was reported that members of the Committee had visited the site earlier in the day.

The Area Planning Officer presented the report to Committee clarifying the location of the proposed expansion of the Air Training Cadets' (ATC) recreational facilities within Eureka Park adding that the applicants had agreed to relocate the entrance in order to encourage the use of the park entrance and not John Street.

Councillor Tilley addressed the Committee as Ward Member for Swadlincote and whilst commending the ATC organisation also raised concerns that the proposed extension to the existing building would further impact on noise and parking and suggested that seeking a more appropriate site would be favourable/ beneficial.

Members raised concerns and comments relating to noise, parking provision and the potential for alternative accommodation due to the scale of the development and the impact on the surrounding open space, amenities and local residents. The Planning Services Manager advised Members that the Environmental Health and Highways departments had reported no issues relating to noise or parking.

A proposal to defer the application in order to seek alternative accommodation options was not supported by Committee.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services subject to an additional condition requiring the submission of a travel plan.

PL/190 **THE PARTIAL DEMOLITION, REBUILDING AND RENOVATION OF AN OUTBUILDING TO CREATE A DETACHED ANNEXE ALONG WITH THE REPLACEMENT OF AN EXISTING TIMBER KITCHEN WINDOW AND CONSERVATORY DOOR TO MAIN HOUSE WITH ALUMINIUM BI-FOLD DOORS AND FIXED WINDOW AT SHARDLOW HOUSE 94 LONDON ROAD SHARDLOW DERBY**

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/191 **LISTED BUILDING CONSENT FOR THE PARTIAL DEMOLITION, REBUILDING AND RENOVATION OF AN OUTBUILDING TO CREATE A DETACHED ANNEXE ALONG WITH THE REPLACEMENT OF AN EXISTING TIMBER KITCHEN WINDOW AND CONSERVATORY DOOR TO MAIN HOUSE WITH ALUMINIUM BI-FOLD DOORS AND FIXED WINDOW AT SHARDLOW HOUSE 94 LONDON ROAD SHARDLOW DERBY**

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/192 **THE PRUNING OF A LIME TREE COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NUMBER 195 AT 64 GEORGE STREET CHURCH GRESLEY SWADLINCOTE**

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/193 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decisions in relation to the following applications:

9/2016/0548 210, High Street, Woodville
9/2016/0776 16, Nettlefold Crescent, Melbourne

PL/194 **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 was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 7.50pm.

COUNCILLOR A ROBERTS

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

2nd March 2017

PRESENT:-

Conservative Group

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

Labour Group

Councillors Chahal, Shepherd, Taylor and Tilley

EDS/75 APOLOGIES

The Committee was informed that no apologies had been received.

EDS/76 MINUTES

The Open Minutes of the Meeting held on 17th November 2016 and 5th January 2017 were noted, approved as a true record and signed by the Chairman.

Councillor Shepherd sought clarification regarding an amendment made to the minutes of the Committee held on 5th January 2017. The amendment related to the amount of funding to be received for the Garden Village. Councillor Shepherd was advised the amendment was noted in the minutes for Full Council held on 19th January 2017.

EDS/77 DECLARATIONS OF INTEREST

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

EDS/78 QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10

The Committee was informed that no questions from Members of the Public had been received.

EDS/79 QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

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

EDS/80 REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE

The Committee was informed that there were no Overview & Scrutiny Committee reports for it to consider.

MATTERS DELEGATED TO COMMITTEE

EDS/81 **PROPOSED GARDEN VILLAGE**

The Planning Policy Manager presented the report to Committee.

The Chairman sought clarification on which of the maps appended to the report had been approved by the Homes and Communities Agency (HCA). The Planning Policy Manager explained that the developer map had been submitted with the Expression of Interest (EOI), adding that the map produced by the Planning department confirms the boundaries for the proposed Garden Village. Councillor Taylor, whilst seeking clarification on the role of the HCA within the EOI submission process, highlighted his concern regarding the detail of the map submitted with the EOI. The Planning Policy Manager addressed these issues.

Councillor Shepherd raised concerns on behalf of himself and Councillor Chahal, expressing disappointment that as local Ward Members, they had not been consulted nor informed of the submission yet had since learnt that the Chairman and the Controlling Group had been briefed on the matter at an earlier date. The Councillor stated that due to the lack of clarity, he felt that the submission had not been processed in the correct manner and requested that, in future, local Ward Members be informed of any submissions. The Chairman clarified the events relating to the submission of the EOI and apologised for any misunderstanding that had arisen on this occasion.

Councillor Richards expressed concern that Members were not informed nor consulted for their approval in regard to the submission of the EOI. Whilst questioning the authorisation of the submission, Councillor Richards sought legal advice in relation to whether the process had been legitimate.

Councillor Taylor addressed the Committee highlighting his concern that the name Infinity Garden Village would potentially align the identity more with the Derby City's Infinity Technology Park rather than South Derbyshire. The Councillor expressed that matters of local governance had been brought into question as the communities of Stenson Fields and Barrow upon Trent had been denied their input on the matter.

The Director of Community and Planning Services apologised for how this matter had been handled on this occasion. The Director explained that Members' approval would have been sought before the submission of any formal application, but it had not been anticipated that the EOI alone would have been sufficient for the HCA to approve the funding. The Director commented that Officers had not been informed prior to the Government press release and gave an undertaking that future EOI submissions would be presented to the relevant Committee for approval.

Councillor Richards responded that had the EOI been submitted to Committee, then alternative sites in South Derbyshire would have been explored. The Councillor stated that funding for another site within the District may be withdrawn by the County Council, which could potentially jeopardise the District's Local Plan. The Chairman sought clarification on this statement, with Councillors Patten and Ford stating they were unaware of this development in their roles as County Councillors.

RESOLVED:

Members accepted support and funding from the Homes and Community Agency regarding the Garden Village.

Councillor Richards left the Meeting at 6:45pm

EDS/82 **CORPORATE PLAN 2016-21: PERFORMANCE MANAGEMENT**
(1 OCT – 31 DEC 2016)

The Director of Community and Planning Services and presented the report to inform Members of the progress made during the third quarter of 2016/17, highlighting action being taken to address those areas not currently on target.

In relation to fly-tipping and waste collection, Members extended their gratitude for the work of the teams involved.

RESOLVED:

Members noted progress against the performance targets.

EDS/83 **KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT**

The Chief Executive provided Members with an update on the Licensing Department Key Performance Indicators.

RESOLVED:

Members noted the performance of the Licensing Department in relation to the Key Performance Indicators.

EDS/84 **QUARTERLY ENFORCEMENT AND COMPLIANCE REPORT**

The Environmental Health Manager presented the report on how enforcement would be monitored and the status of regulatory work undertaken. Feedback on the content, format and analysis was welcomed.

Councillor Taylor sought clarification on the Proactive Inspections of Businesses in relation to enforcement and the role of the Authority in employment, health and safety issues. The Environmental Health Manager explained that once the final proposals from the Health and Safety Executive have been received, they would be incorporated into the inspection plan and brought to this Committee.

In relation to fly-tipping and enforcement of individuals offering their services on social media to dispose waste, it was explained that information on those who hold a waste transfer license is available.

RESOLVED:

Members were satisfied that on the basis of the report the Council is using its regulatory powers in a way proportionate to the demands for regulatory services.

EDS/85 **SPEAKING AT PLANNING COMMITTEE**

The Director of Community and Planning Services presented the report.

Councillor Tilley clarified that due to a recent Planning Committee, he had requested to review the guidance supplied to those registering to speak at Planning Committee meetings. Members discussed and agreed that it be reiterated that any statements that are personal or defamatory would not be acceptable and would require appropriate intervention from the Chairman.

RESOLVED:

Members agreed that delegated authority be granted to the Director of Community and Planning Services in conjunction with the Chairman to amend the wording of the advice literature as set out on the Council's website and as sent with letters to those invited to speak at Planning Committee.

EDS/86 **WORK PROGRAMME 2016/17**

RESOLVED:

That the Committee considered and approved the updated work programme for 2016/17.

EDS/87 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on the on 17th November 2016 were received.

EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE [RULE NO 12](#)

The Committee were informed that no exempt questions from Members of the Council had been received.

**STAFFING AMENDMENTS – COMMUNITY AND PLANNING
DIRECTORATE (Paragraph 1)**

Members approved the recommendations contained in the report.

**THE FUTURE OF BUILDING CONTROL IN SOUTH DERBYSHIRE
(Paragraph 3)**

The meeting terminated at 7.20pm.

COUNCILLOR P WATSON

CHAIRMAN

FINANCE AND MANAGEMENT COMMITTEE

16th March 2017

PRESENT:-

Conservative Group

Councillor Harrison (Chairman), Councillor Mrs Plenderleith (Vice-Chairman) and Councillors Atkin, Mrs Coe, Mrs Coyle, Hewlett, Stanton (substituting for Councillor Smith), Watson and Wheeler

Labour Group

Councillors Rhind, Richards, Southerd and Wilkins

In Attendance

Councillor Taylor (Labour Group)

FM/131 **APOLOGIES**

Apologies were received from Councillor Smith (Conservative Group).

FM/132 **MINUTES**

The Open Minutes of the Meetings held on 12th January 2017 and 16th February 2017 were taken as read, approved as a true record and signed by the Chairman.

FM/133 **DECLARATIONS OF INTEREST**

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

FM/134 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/135 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

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

FM/136 **REPORTS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no reports of the Overview & Scrutiny Committee to consider.

FM/137 **AUDIT SUB-COMMITTEE**

The Open Minutes of the Audit Sub-Committee Meeting held on 15th February 2017 were submitted.

RESOLVED:-

That the Minutes of the above Audit Sub-Committee Meeting be received and any recommendations contained therein approved.

FM/138 COMMUNICATIONS CORPORATE PLAN 2016-21: PERFORMANCE REPORT (1 OCT – 31 DEC 2016)

The Director of Finance and Corporate Services presented the report to Committee, highlighting the sickness absence and benefits processing figures, both showing an upward trend. Members discussed the sickness issue, noting that the reporting criterion is being reviewed in accordance with the requirements of the Equality Act.

RESOLVED:

Members noted progress against performance targets.

FM/139 BUDGET AND FINANCIAL MONITORING 2016/17

The Director of Finance and Corporate Services presented the report to the Committee, stating that the General Fund surplus had grown since the last update; that planning fees income had also risen, reflecting the growth in development; that vacancy savings exceeded temporary recruitment costs and that fuel costs had decreased due to an effective review of vehicle use and routes. The Director also referred to the increased budget for domestic refuse bins, the result of both demand for replacement bins and the supply of new bins to a growing housing base.

In relation to the Collection Fund, the Director reported that Council Tax was showing a healthy surplus and that Business Rates, whilst better, was still in deficit, although this had been anticipated. The Director further reported that, in relation to the Housing Revenue Account, a surplus was being budgeted for, whilst, when referring to Housing Capital Receipts, 23 sales had occurred to date this financial year, positive for capital income, albeit a loss to rental income.

Councillor Richards raised the issue of the Disabled Facility Grant budget, which had been exhausted, but queried whether additional funding would satisfy the outstanding applications. The Director confirmed that the extra funding would accommodate the current caseload. The Chairman also asked if there was still an issue with occupational health appointments hindering the process. The Director stated that this was no longer the case.

RESOLVED:

Members approved the latest budget and financial position for 2016/17.

FM/140 **COMMITTEE WORK PROGRAMME**

RESOLVED:-

Members considered and approved the updated work programme.

FM/141 **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 12th January 2017 and 16th February 2017 were received.

AUDIT SUB-COMMITTEE

The Exempt Minutes of the Audit Sub-Committee Meeting held on 15th February 2017 were submitted.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed that no questions had been received.

HERITAGE LOTTERY FUND TOWNSCAPE PROJECT – DIANA MEMORIAL GARDEN (Paragraph 3)

Members approved the recommendations in the report.

SAFER HOMES SCHEME (Paragraph 3)

Members approved the recommendation in the report.

PREMISES IN SWADLINCOTE (Paragraph 3)

Members approved the recommendation in the report.

STAFFING AMENDMENTS – COMMUNITY AND PLANNING DIRECTORATE (Paragraph 1)

Members approved the recommendations in the report.

THE TRANSFER OF CORPORATE SERVICES: MATTERS OUTSTANDING
(Paragraphs 2 & 3)

Members approved the recommendations in the report.

The meeting terminated at 7.15pm.

COUNCILLOR J HARRISON

CHAIRMAN

PLANNING COMMITTEE

21st March 2017

PRESENT:-

Conservative Group

Councillor Roberts (Chairman), Councillor Mrs Brown (Vice Chairman) and Councillors Atkin, Mrs Coe, Coe (substituting for Councillor Ford), Harrison, MacPherson (substituting for Councillor Mrs Hall), Murray (substituting for Councillor Stanton) and Watson

Labour Group

Councillors Dr Pearson, Shepherd, Southerd and Tilley

In Attendance

Councillors Billings and Mrs Patten (Conservative Group)

PL/195 **APOLOGIES**

Apologies were received from Councillors Ford, Mrs Hall and Stanton (Conservative Group).

PL/196 **MINUTES**

The Open Minutes of the Meetings held on 17th January 2017 (PL/140-PL/158) and 7th February 2017 (PL/159-PL/175) were taken as read, approved as a true record and signed by the Chairman.

PL/197 **DECLARATIONS OF INTEREST**

Councillors Mrs Brown, Shepherd, Tilley and Watson declared a personal interest in Items 1.1/1.2 on the Agenda by virtue of being National Trust members.

Councillor Harrison declared a personal interest in Item 1.4 on the Agenda by virtue of being Chairman of the Melbourne Sporting Partnership.

Councillor Atkin declared a pecuniary interest in Item 1.5 on the Agenda by virtue of knowing the applicant, from whom his family business rent land.

PL/198 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

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

MATTERS DELEGATED TO COMMITTEE

PL/199 **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/200 **CONSTRUCTION OF NEW OUTDOOR HUB AND ASSOCIATED INFRASTRUCTURE INCLUDING SERVICES, ACCESS ROADS (INCLUDING DEMOLITION OF SECTION OF EXISTING PARK BOUNDARY WALL TO PROVIDE ACCESS), CAR PARKING, FOOTPATHS AND DRAINAGE ALONG WITH CHANGE OF USE OF LITTLE TOWN LEYS FROM AGRICULTURAL LAND TO CAR PARKING AT CALKE ABBEY, MAIN STREET, TICKNALL, DERBY**

It was reported that members of the Committee had visited the site earlier in the day.

Parish Councillor Paul Colleyshaw (objector) and Mr Stewart Alcock (applicant's agent) attended the Meeting and addressed Members on this application.

The Vice-Chairman read out a statement prepared by the Ward Members (unable to be present at the Meeting), outlining their views that whilst physical health issues should be promoted, they also expressed concerns regarding the potential impact on the park, its habitats, wildlife and the scale of the proposed building. Reference was made to a recent case study relating to the National Trust's Saltram House in Devon, in particular issues concerning walkers and cyclists.

Other Members noted the need for leisure provision, but raised queries relating to accessibility, parking facilities, parking issues in the nearby Ticknall village, the Highways report, intrusion into a Site of Special Scientific Interest (SSSI), part demolition of a listed wall, preservation strategies, other locations, cyclist numbers, path widths, the proposed roof materials and the overall suitability of the proposed location. Support was shown for the proposed discreet location and appropriate design, meeting a health demand, promotion of cycling and the opportunity for walkers and cyclists to share the location and its facilities.

The Planning Services Manager addressed the issues raised and confirmed the setting up of a local liaison group.

The Chairman noted the many references to parking issues and suggested that the National Trust may wish to review their parking policies.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/201 **LISTED BUILDING CONSENT FOR THE DEMOLITION OF SECTION OF EXISTING PARK BOUNDARY WALL TO PROVIDE ACCESS TO A NEW OUTDOOR HUB AND ASSOCIATED INFRASTRUCTURE AT CALKE ABBEY, MAIN STREET, TICKNALL, DERBY**

It was reported that members of the Committee had visited the site earlier in the day.

Parish Councillor Paul Colleyshaw (objector) and Mr Stewart Alcock (applicant's agent) attended the Meeting and addressed Members on this application.

RESOLVED:-

That listed building consent be granted as recommended in the report of the Director of Community & Planning Services.

PL/202 **PART DEMOLITION AND EXTENSION OF EXISTING INDUSTRIAL UNIT TOGETHER WITH NEW ACCESS, ASSOCIATED WELFARE FACILITIES AND EXTERNAL WORKS AT FACCENDA FOODS, SCROPTON ROAD, SCROPTON, DERBY**

It was reported that members of the Committee had visited the site earlier in the day.

The Planning Services Manager informed Committee of two amendments to the report, one concerning the height to eaves / ridge measurement and the other relating to construction deliveries in Condition 3.

Mr Phil Brown (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Mrs Patten addressed the Committee as Ward Member for Hilton, expressing concerns regarding HGV's accessing the location, littering, damage to road edges and verges, flooding, employment opportunities, the lack of a bus service to the village, traffic movements, the trees subject to Tree Preservation Orders and the quality of life for residents.

Councillor Billings addressed the Committee as another Ward Member for Hilton, outlining his views of the additional HGV movements, noise - operational, construction and its enforcement, separation distances, business operating hours and light pollution.

Other Members commented on the growing size of the business and its location in a small village, liaison between the company and the community,

employee travel plans, the replacement tree variety, flood management measures and waste management issues.

The Planning Services Manager responded to the issues raised.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to the rewording of Condition 3 and additional conditions relating to the landscaping including extra heavy standard trees, the enforcement of the travel plan and the requirement for an engineer certification of the drainage scheme. It was also agreed that an extra informative be added to encourage the establishment of new parish liaison group and that a letter be issued to County Highways regarding road improvements to support the investment being made.

Councillors Billings and Mrs Patten left the Meeting at 7.45pm.

PL/203 **VARIATION OF CONDITION 14 ATTACHED TO PLANNING PERMISSION 9/2013/0458 TO USE THE FLOOD LIGHTS LATER THAN 9.30PM FOR ONE EVENT A YEAR AT THE RECREATION GROUND, COCKSHUT LANE, MELBOURNE, DERBY**

The Principal Area Planning Officer reported an additional comment from Environmental Health to Committee.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

Councillor Atkin left the Chamber at 7.50pm.

PL/204 **USE OF CARAVAN CLUB SITE AS TOURING CARAVAN SITE INCLUDING THE FORMATION OF 5 PITCHES (TO REPLACE THE 5 EXISTING PITCHES) AND THE SITING OF 6 GLAMPING PODS AT HILL FARM CARAVAN AND CAMPING SITE, MOOR LANE, BARROW UPON TRENT, DERBY**

The Principal Area Planning Officer reported an amendment to Condition 3 in the Report, regarding permitted development rights at the location, in order to maintain the owner's ability to hold rallies at the site.

Mr Jon Millhouse (applicant's agent) attended the Meeting and addressed Members on this application.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to an amendment to Condition 3.

Councillor Atkin returned to the Chamber at 7.55pm.

PL/205 **CHANGE OF USE TO A VEHICLE MAINTENANCE DEPOT (USE CLASS SUI GENERIS) AT UNIT A STENSON FIELDS INDUSTRIAL UNITS, STENSON ROAD, STENSON, DERBY**

The Principal Area Planning Officer reported further feedback from Environmental Health regarding Condition 3.

Councillor Shepherd addressed the Committee as Ward Member for Stenson, outlining his concerns regarding the application, including commercial vehicle noise, the growth in traffic and the potential impact on domestic dwellings, itself subject to further development in the area, suggesting that planning permission only be granted for a period of 12 months.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to amendments to Condition 3 and the planning permission being only for a period of 12 months. It was also agreed that an extra informative be added regarding noise management.

PL/206 **THE RETENTION OF FRONT GARDEN WALL AND RAISED GROUND BEHIND AT 183 SWARKESTONE ROAD, CHELLASTON, DERBY**

It was reported that members of the Committee had visited the site earlier in the day.

Councillor Watson addressed the Committee as Ward Member for Aston on Trent, providing a brief summary of events relating to the wall, expressing safety concerns and the view that it was out of keeping for its location, proposing that planning permission be refused.

RESOLVED:-

That planning permission be refused contrary to officer recommendation on the grounds that the design conflicts with Policies SD1 and BNE1 – out of keeping with the street.

PL/207 **DEMOLITION OF GARDEN BUILDING AND ERECTION OF SINGLE DWELLING AND PROVISION OF 2NO. CAR PARKING SPACES AT 1 ROSLISTON ROAD. WALTON ON TRENT. SWADLINCOTE**

It was reported that members of the Committee had visited the site earlier in the day.

Mr Rod Greenfield (objector) attended the Meeting and addressed Members on this application.

Councillor Murray addressed the Committee as Ward Member for Seales, outlining his concerns regarding pedestrian safety, vehicle movement, garden provision, emergency vehicle access, the scale of the proposed dwelling, its overbearing nature and potential impact on neighbour's amenity.

Other Members commented on the potential for other back garden developments, the design of the proposed dwelling, whether it constituted over development of the site, the potential impact on the amenity of neighbours, the windows treatment, the plot dimensions, its gradient and property height levels.

The Planning Services Manager responded to the issues raised.

RESOLVED:-

That planning permission be refused contrary to officer recommendation on the grounds that the proposed development would be overbearing on neighbouring property, contrary to Policy SD1.

Abstention: Councillor Southerd.

PL/208 **SUSPENSION OF STANDING ORDERS**

RESOLVED:-

That Standing Orders be suspended and that the meeting of the Committee continue beyond 8.30pm.

PL/209 **THE ERECTION OF 2 NO. 2 STOREY 3 BED DWELLINGS AT LAND ADJACENT TO 45 THE POTLOCKS, WILLINGTON, DERBY**

Mr Richard Hall (objector) attended the Meeting and addressed Members on this application.

RESOLVED:-

That planning permission be refused as recommended in the report of the Director of Community & Planning Services.

PL/210 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decisions in relation to the following applications:

E/2015/00177

9/2015/1036 Field Farm, Station Road, Melbourne, Derby, DE73 8BR

9/2016/0162 The Mandarin Chinese Restaurant, Egginton Road, Hilton, Derby, DE65 5FJ

PL/211 **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 was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT MINUTES

The Exempt Minutes of the Meeting held on the 7th February 2017 (PL/176-PL/177) were taken as read, approved as a true record and signed by the Chairman.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 8.40pm.

COUNCILLOR A ROBERTS

CHAIRMAN

OVERVIEW AND SCRUTINY COMMITTEE

22nd March 2017

PRESENT:-

Conservative Group

Councillor Swann (Chairman), Councillor Billings (Vice-Chairman) and Councillors Atkin, Mrs Coe and Mrs Patten

Labour Group

Councillor Dunn

OS/61 **APOLOGIES**

Apologies were received from Councillors Bambrick and Dr Pearson (Labour Group)

OS/62 **MINUTES**

The Open Minutes of the Meeting held on 8th February were taken as read, approved as a true record and signed by the Chairman.

OS/63 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

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

OS/64 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee were informed that no questions from members of the Public had been received.

OS/65 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee were informed that no questions from Members of the Council had been received.

OS/66 **REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) – QUARTERLY REPORT ON USAGE**

The Director of Community and Planning Services outlined the report, emphasising that the usage of Regulation of Investigatory Powers Act 2000 (RIPA) since 1st December 2016 was nil, and no authorisations had been requested or granted.

Councillor Atkin sought clarification on whether the usage of CCTV at fly-tipping hotspots and body worn cameras need to be reported. The Director advised that in such instances RIPA authorisation would not be required, as notices indicate CCTV monitoring is in operation.

RESOLVED:-

Members noted the internal report on the Council's use of the Regulation of Investigatory Powers Act 2000.

OS/67 **ANNUAL REPORT FROM THE OVERVIEW AND SCRUTINY COMMITTEE 2016/17**

The Committee considered the draft Annual Report for the municipal year 2016/17. The report outlined how the Committee had discharged its functions over the year and its key areas of review. The Director of Community and Planning Services apologised for the delay in producing the Voluntary Services report, advising that it would be presented at a future Meeting.

Members welcomed the report, noting that it reflected the work conducted by the Committee during the year.

RESOLVED:-

Members considered the Annual Report for 2016/17 and agreed to delegate any amendments to the Legal and Democratic Services Manager for the completion of the Annual Report.

OS/68 **COMMITTEE WORK PROGRAMME 2016-17**

Members discussed various topics that may form the forthcoming year's Work Programme.

RESOLVED:-

Members agreed to delegate to the Chairman to arrange a Scoping Meeting in order to consider the areas to be reviewed in the forthcoming municipal year.

OS/69 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that

there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee were informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 6.15pm.

COUNCILLOR SWANN

CHAIRMAN

LICENSING AND APPEALS SUB-COMMITTEE

23rd March 2017 at 10.00am

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillor Mrs Patten (Chairman), Councillor Mrs Coyle (Conservative Group) and Councillor Dunn (Labour Group)

District Council Representatives

A Kaur (Legal and Democratic Services Manager), M Lomas (Licensing Officer), F Tucker (Trainee Licensing Officer) and C Tyler (Democratic Services Officer)

LAS/38 **APOLOGIES**

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

LAS/39 **DECLARATION OF INTEREST**

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

MATTERS DELEGATED TO SUB-COMMITTEE

LAS/40 **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.

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

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

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

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

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

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

The Meeting terminated at 11.45am.

COUNCILLOR MRS J PATTEN

CHAIRMAN