

MINUTES of the COUNCIL MEETING of the  
SOUTH DERBYSHIRE DISTRICT COUNCIL  
held at the Civic Offices, Civic Way  
on Thursday, 19 January 2023  
at 6.00pm

**PRESENT:**

**Labour Group**

Councillor Dunn (Chair) and Councillor Bambrick (Vice-Chair) and Councillors Gee, Heath, L. Mulgrew, M Mulgrew, Pearson, Pegg, Rhind, Richards, Shepherd, Singh, Southerd, Stuart, Taylor and Tilley.

**Conservative Group**

Councillors Atkin, Bridgen, Brown, Corbin, Dawson, Fitzpatrick, Ford, Haines, Hewlett, Lemmon, Muller, Patten, Redfern, Smith and Watson.

**Non-Grouped**

Councillor Wheelton and Councillor Churchill.

CL/95 **APOLOGIES**

Council was informed that apologies had been received from Councillor Pegg (Labour Group), Councillors Ackroyd and Bridgen (Conservative Group) and Councillors MacPherson and Roberts (Independent Group).

CL/96 **THE OPEN MINUTES OF COUNCIL MEETINGS**

The Open Minutes of Council Meeting held on and 3 November 2022 (CL/ 65 to CL/81 and 5 January 2022 (CL/85 to CL/94) were approved as a true record and signed by the Chair of the Council.

CL/97 **DECLARATIONS OF INTEREST**

Council was informed that Councillor Wheelton declared a Personal interest in relation to item CL/113 by virtue of being a Rural Action Derbyshire Trustee and a member of the National Farmers Union.

CL/98 **ANNOUNCEMENTS FROM THE CHAIR**

The Chair of the District Council addressed Members and informed them of the events he had attended that included, the Small Business Awards Gala, the Armitage Day event at the Delph and the Holocaust Tree Dedication Service at Rosliston Forestry Centre.

CL/99 **ANNOUNCEMENTS FROM THE LEADER**

The Leader of the Council addressed Council and informed Members of a letter received from the Minister for Levelling Up advising that the Council had not been successful in the second bid for funding. Council was also informed that

Derbyshire County Council would be hosting the Mayor of Toyota City between the 03 and 06 February 2023.

CL/100 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Head of Paid Service addressed Council informing Members that refurbishment works on the Delph were underway and updated Members regarding the recruitment for the Strategic Director (Corporate Resources) and the Chief Executive.

CL/101 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council was informed that no questions had been received.

CL/102 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

In accordance with Council Procedure Rule No.11 the Chair of the Council invited Councillor Ford to ask the Leader of the Council the following question:

“At the Nov F&M Committee meeting the Councils MTFP projected a deficit of 2,317,601 in 22/23 and 2,815,800 in 23/24. Unless this situation is reversed quickly the deficits on the near horizon are a huge risk to this council and could mean that services to residents will be hugely affected in the future.

After the January budget round of committee meetings can the Leader, please tell us what measures the leading group have introduced to remove the risk of these future deficits and their potential huge effect on residents in South Derbyshire?”

The Leader of the Council advised Members that the Council’s deficit projection was always projected and that due to good management the deficits have never been realised, it was further advised that the deficit projections were under constant review and that government funding could not be controlled and if needed budget cuts would be if necessary.

In accordance with Council Procedure Rule No.11 the Chair of the Council invited Councillor Fitzpatrick to ask the Leader of the Council the following question:

“In the past two weeks myself and my fellow ward Councilor, Jim Hewlett have been helping two residents with significant repair issues at their properties.

The first case was reported back in October 2022 informing Cllr Hewlett and I that the bathroom was in a dangerous state. There was a crack in the bath after a fall, the whole floor area is severely weakened due to damp and the walls are moldy. Also, due to health conditions the resident had requested a showering facility and for the other repairs to be carried out as soon as possible.

Pending an Occupational Health officer visit and assessment SDDC have repaired the crack in the bath temporarily and after some investigation visits to

the property, a repair to the weakened floor was started week commencing 2-1-23. The resident was informed the repair should take 2 days but after those 2 days the contractor left the property in a dangerous state with the bathroom floor having several nails and screws protruding from it. The resident was advised to wear slippers in the bathroom to which he replied, “he would need a good pair of safety boots”.

After highlighted this issue to our Housing team, a further visit was organised to repair the floor, albeit further leaks in the bathroom still exist and the repair remains incomplete at the time of writing.

In the second case, a water leak was reported by a resident to Cllr Hewlett and myself on 17<sup>th</sup> November 2022 and despite several phone calls and emails the resident tells us they have had no other action than a contractor visit and suggest that they place a bucket under the water leak. As with any untreated water leak the ceiling damage has grown worse and mold has started growing in an adjoining room.

Once again at the time of writing this repair is incomplete.

My question was does the Leader of the Council believe that the above examples are isolated cases of a poor repair service for two of our Tenants or is it part of a repeating and highly concerning pattern across the district?”

The Leader of the Council informed Members he hoped the examples given were isolated examples. He advised that Contract Performance was now reported to Overview and Scrutiny Committee and that and the end of Quarter 3, performance was rated with 968 emergency repairs being completed within the Council repair times. The Leader assured Members that the Council’s Contractors explained any delays to customers along with the reasons why.

The Leader of the Council further advised Members regarding the major problem that the Council had in employing qualified tradesman, but assured Members that if they were aware of any continual delays then he was to be informed and would escalate this with the Head of Service.

In accordance with Council Procedure Rule No.11 the Chair of the Council invited Councillor Fitzpatrick to ask the Leader of the Council the following supplementary question:

Other than the official route could other complaints be dealt with in another way?

The Leader of the Council explained that the Housing Team monitored the Contractors’ performance and meet with them regularly therefore it was envisaged that the situation regarding complaints would improve.

In accordance with Council Procedure Rule No.11 the Chair of the Council invited Councillor Lemmon to ask the Leader of the Council the following question:

“From a Freedom of Information request we understand that NW Leicestershire Council have a 38-day void measurement on their council properties. The SDDC figure currently stands at 183 days. This excessive void period places huge

financial strains on our organisation and leaves residents waiting far too long for a property to become available.

Can we ask by what date the Chair of Housing & Community Services will commit to matching Northwest Leicestershire performance on voids at 38 days?"

The Leader of the Council advised that this question should be raised under the relevant Housing and Community Services Committee Minutes of 17 November 2022, that were to be considered later on the agenda.

CL/103 **LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN – ANNUAL REVIEW LETTER 2022 AND LGSCO UPDATE**

The Chief Executive presented the report to Council and sought approval of the recommendation

**RESOLVED:**

***1.1 Council accepted the Local Government and Social Care Ombudsman's Annual Review Letter 2022.***

CL/104 **APPOINTMENT OF A RECRUITMENT AND SELECTION PANEL**

The Chief Executive addressed Council outlining the key points within the report and noting that the proposed interview panel was politically balanced.

**RESOLVED:**

***1.1 Council approved that the appointment and recruitment into the post of Chief Executive and Head of Paid Service (SM01) be delegated to a panel of five (5) Members from the Finance and Management Committee along with the Chair or Vice Chairs of the employing Committees namely Finance and Management, Environmental and Development Services and Housing and Community Services in accordance with the Appointment Procedure for the Chief Executive and Directors.***

***1.2 It was noted that the nominations for the Panel that reflected the current political balance of the Council would be confirmed in writing.***

***1.3 Council approved that final arrangements regarding the recruitment and selection procedure to be followed including timescales, along with determining the selection process for the final appointment, would be agreed between the Chief Executive and Elected Members of the Panel.***

***1.4 Council approved that the Chief Executive appointed an external recruitment partner to support the recruitment process in line with the Council's Financial Procedures rules.***

CL/105 **HOMES FOR UKRAINE**

The Head of Environmental Services presented the report to Council and sought approval of recommendations within the report that would enable the Council to continue to support Ukrainian refugees in South Derbyshire.

Members supported the report and sought clarity about support available if relations break down between the guests and sponsors.

The Head of Environmental Services advised that this work would be covered by the Team.

**RESOLVED:**

- 1.1 That Council approved the creation of a new temporary (18 month) Tenancy Sustainment Officer post dedicated to supporting the delivery of Homes for Ukraine and Asylum Dispersal demands upon the local authority.**
- 1.2 That Council approved the continuation of the temporary restructure of Environmental Services described in the report to Finance and Management Committee on 10 February 2022 until such time as the temporary Tenancy Sustainment Officer position be occupied.**
- 1.3 That Council approved that all existing revenue costs incurred to date and which are associated with the delivery of the Homes for Ukraine scheme be met from the Homes for Ukraine funding provided by Derbyshire County Council.**
- 1.4 That Council approved the remaining funding described in the report be apportioned into existing capital funds and made available to officers in Housing Services and Environmental Services to draw down in order to provide the appropriate support for clients described in government guidance on the Homes for Ukraine scheme and Asylum Dispersal.**

CL/106 **OPEN MINUTES:**

Council received and considered the open minutes of its Committees and Area Forums.

**RESOLVED:**

***That the Open Minutes of the following Committees and Area Forums were approved as a true record.***

<b><u>Committee</u></b>	<b><u>Date</u></b>	<b><u>Minutes No's</u></b>
<b><i>Finance and Management Committee</i></b>	<b><i>17.03.2022</i></b>	<b><i>FM/147 to FM/162</i></b>
<b><i>Planning Committee</i></b>	<b><i>05.04.2022</i></b>	<b><i>PL/133 to PL/142</i></b>
<b><i>Finance and Management Committee</i></b>	<b><i>28.04.2022</i></b>	<b><i>FM/169 to FM/178</i></b>
<b><i>Planning Committee</i></b>	<b><i>03.05.2022</i></b>	<b><i>PL/133 to PL/142</i></b>

<b>Finance and Management Committee</b>	<b>09.06.2022</b>	<b>FM/01 to FM/12</b>
<b>Finance and Management Committee</b>	<b>21.07.2022</b>	<b>FM/16 to FM/28</b>
<b>Housing and Community Services Committee</b>	<b>18.08.2022</b>	<b>HCS/15 to HCS/23</b>
<b>Housing and Community Services Committee</b>	<b>29.09.2022</b>	<b>HCS/26 to HCS/34</b>
<b>Housing and Community Services Committee</b>	<b>17.11.2022</b>	<b>HCS/38 to HCS/49</b>
<b><u>Area Forum</u></b>	<b><u>Date</u></b>	<b><u>Minutes No's</u></b>
<b>Linton</b>	<b>05.10.22</b>	<b>L/A 8 to LA14</b>
<b>Repton</b>	<b>11.10.22</b>	<b>R/A 9 to R/A12</b>
<b>Etwall</b>	<b>14.10.22</b>	<b>E/A 8 to E/A 14</b>
<b>Swadlincote</b>	<b>02.11.22</b>	<b>S/A 8 to S/A 14</b>
<b>Newhall</b>	<b>08.11.22</b>	<b>N/A 8 to N/A 14</b>
<b>Melbourne</b>	<b>09.11.22</b>	<b>M/A 8 to M/A 14</b>

In relation to the Housing and Community Services Committee Minutes 17 November 2022 Councillor Lemmon asked the Chair of Housing and Community Services if the Council would commit to matching North West Leicestershire's performance on voids at 38 days?"

The Chair of Housing and Community Services Committee advised Council that Northwest Leicestershire Council's figure of 38 days was an average figure and that the Council had an in-house team and not contractors in place. It was further advised that a report to Overview and Scrutiny Committee on 4 January 2023 there was a detailed action plan to reduce relet days to 30 days and that a further 40 voids had been completed by the end of the year. Members were also assured that the action plan would be overseen and managed by Overview and Scrutiny Committee.

CL/107 **TO REVIEW THE COMPOSITIONS OF COMMITTEE, SUB-COMMITTEES AND WORKING PANELS**

The Members reviewed the composition of Committees, Sub-Committees and Working Panels 2022-23.

**RESOLVED:**

***Council was informed no amendments were to be made***

CL/108 **TO REVIEW THE COMPOSITIONS OF THE SUBSTITUTE PANELS**

The Members reviewed the composition of the composition of Committees, Sub-Committees and Working Panels.

**RESOLVED:**

***Council was informed no amendments were to be made***

**CL/109 TO REVIEW THE REPRESENTATION ON OUTSIDE BODIES**

Members reviewed the Outside Bodies representation list.

**RESOLVED:**

*Council was informed no amendments were to be made.*

**CL/110 TO REVIEW MEMBER CHAMPIONS**

Members reviewed the Representation of Member Champions.

**RESOLVED:**

*Council was informed no amendments were to be made.*

**CL/111 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 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.*

<b>Committee</b>	<b>Date</b>	<b>Minutes No's</b>
<b>Finance and Management Committee</b>	<b>17.03.2022</b>	<b>FM/ 163 to FM/168</b>
<b>Finance and Management Committee</b>	<b>28.04.2022</b>	<b>FM/179 to FM/187</b>
<b>Finance and Management Committee</b>	<b>09.06.2022</b>	<b>FM/13 to FM/15</b>
<b>Finance and Management Committee</b>	<b>21.07.2022</b>	<b>FM/29 to FM/31</b>
<b>Housing and Community Services Committee</b>	<b>18.07.2022</b>	<b>HCS/24 to HCS/25</b>
<b>Housing and Community Services Committee</b>	<b>29.09.2022</b>	<b>HCS/35 to HCS/37</b>

<b><i>Housing and Community Services Committee</i></b>	<b><i>17.11.2022</i></b>	<b><i>HCS/50 to HCS/54</i></b>
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**SHARED PROSPERITY FUND**

***The Committee approved the recommendations within the report.***

The meeting terminated at hours.18:55 hours

COUNCILLOR P DUNN

CHAIR OF THE DISTRICT COUNCIL