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Our Ref: DS
Your Ref:

Date: 9th January 2018

Dear Councillor,

Council

YOU ARE HEREBY SUMMONED to attend the Meeting of the **Council** to be held in the **Council Chamber**, on **Thursday, 17 January 2019 at 18:00** to transact the business set out on the attached agenda.

Yours faithfully,



Chief Executive

To:- **Conservative Group**

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

Labour Group

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

Independent / Non-Grouped Members

Councillors Coe and Tipping

AGENDA

Open to Public and Press

- 1** Apologies.
- 2** Presentation: Koichiro Kuno (Toyota City)
- 3** Presentation: Detective Sergeant Stuart Kershaw
- 4** To confirm the Open Minutes of the Council Meeting (CL/75-CL/91)
held on the 1st November 2018.
Council 1st November 2018 Open Minutes **6 - 10**
- 5** To note any declarations of interest arising from any items on the
Agenda
- 6** To receive any announcements from the Chairman, Leader and
Head of Paid Service.
- 7** To receive any questions by members of the public pursuant to
Council Procedure Rule No.10.
- 8** To receive any questions by Members of the Council pursuant to
Council procedure Rule No. 11.
- 9** To authorise the sealing of the documents.

SEALED DOCUMENTS **11 - 11**
- 10** ARMED FORCES COVENANT **12 - 43**
- 11** COUNCIL CONSTITUTION - POLICY UPDATES **44 - 101**
- 12** CAPITAL STRATEGY 2019-20 TO 2022-23 **102 -
114**

13	UPDATE OF THE COUNCIL'S OUTSIDE BODIES LIST 2018 - 2019	115 - 119
14	To receive and consider the Open Minutes of the following Committees:-	
	Planning Committee 16th October 2018 Open Minutes	120 - 125
	Overview and Scrutiny Committee 17th October 2018 Open Minutes	126 - 128
	Planning Committee 6th November 2018 Open Minutes	129 - 133
	Licensing and Appeals Sub-Committee 8th November 2018 Open Minutes	134 - 134
	Licensing and Appeals Sub-Committee 14th November 2018 Open Minutes	135 - 136
	Environmental and Development Services Committee 15th November 2018 Open Minutes	137 - 140
	Housing and Community Services 22nd November 2018 Open Minutes	141 - 144
	Planning Committee 27th November 2018 Open Minutes	145 - 148
	Finance and Management Committee 29th November 2018 Open Minutes	149 - 153
	Licensing and Appeals Sub-Committee 5th December 2018 Open Minutes	154 - 155
	Standards Committee 11th December 2018 Open Minutes	156 - 158
	Swadlincote Area Forum minutes 24.10.18	159 - 164

Etwall Area Forum Minutes 09.10.18	165 - 169
Melbourne Area Forum minutes 23.10.18	170 - 174
Linton Area Forum minutes 18.10.18	175 - 179
Repton Area Forum Minutes 10.10.18	180 - 184
Newhall Area Forum Minutes 03.10.18	185 - 189

- 15 To review the compositions of Committees, Sub-Committees and Working Panels for the remainder of the municipal year.
- 16 To review the compositions of Substitute Panels.
- 17 To review representation on Outside Bodies.
- 18 To review Member Champions.

Exclusion of the Public and Press:

- 19 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.
- 20 To confirm the Exempt Minutes of the Council Meeting held on 1st November 2018 (CL/92-CL/94).
Council 1st November 2018 Exempt Minutes
- 21 To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 22 To receive the Exempt Minutes of the following Meetings:

Planning Committee 16th October 2018 Exempt Minutes

Licensing and Appeals Sub-Committee 8th November 2018 Exempt
Minutes

Licensing and Appeals Sub-Committee 14th November 2018
Exempt Minutes

Housing and Community Services 22nd November 2018 Exempt
Minutes

Finance and Management Committee 29th November 2018 Exempt
Minutes

Licensing and Appeals Sub-Committee 5th December 2018 Exempt
Minutes

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Thursday 1st November 2018
at 6.00pm

PRESENT:-

Conservative Group

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

Labour Group

Councillors Bambrick, Dr Pearson, Rhind, Richards, Shepherd, Taylor, and Tilley

Independent (Non-Grouped Members)

Councillor Coe

CL/75 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Roberts (Conservative Group), Councillor Chahal, Dunn, Southerd, Mrs Stuart, Wilkins (Labour Group) and Councillor Tipping (Independent Non-Grouped Member).

CL/76 **MINUTES OF COUNCIL**

The Open Minutes of the Council Meeting held on the 20th September 2018 (CL/50-CL/71) were approved as a true record.

CL/77 **DECLARATIONS OF INTEREST**

Council was informed that no declarations of interest had been received.

CL/78 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council outlined a summary of events attended since the last Council Meeting, including those associated with the visit from the Delegates from Toyota City. The Chairman noted that Sunday 11th November 2018 marks a hundred years since the end of the 1st World War and presented to the Council a painting by Michael Pugh, Swords into Ploughshares commissioned by the Parish Council.

CL/79 ANNOUNCEMENTS FROM THE LEADER

The Leader welcomed Councillor Pegg to the Council. The Leader joined the Chairman in commending the visit by Toyota City. The Leader requested that the Council write a letter of condolence to Leicester City Club on the tragic death of the Chairman in the helicopter crash.

CL/80 ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE

Council were informed that there were no announcements to be made.

CL/81 QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10

Council were informed that no questions had been received.

CL/82 QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

Council were informed that no questions had been received.

CL/83 GAMBLING ACT 2005 – STATEMENT OF LICENSING POLICY

The Senior Licensing Officer presented the report to Council.

Councillor Richards queried whether funding could be allocated for the safety and security to organisations that have been impacted due to recent burglaries. Councillor Ford responded that the Council were assisting those organisations that have been recently impacted.

RESOLVED:

Members approved the Council's Gambling Act 2005 Statement of Licensing Policy ("the Policy") and Local Area Profile Plan.

CL/84 ADDITION TO THE COUNCIL'S LIST OF OUTSIDE BODIES

The Planning Services Manager presented the report to Council.

RESOLVED:

1.1 Council agreed to the addition of a new organisation, Willshee's Skip Hire Ltd Site Liaison Committee, to its List of Outside Bodies.

1.2 Council agreed to the appointment of the local ward Member to serve as the Council's representative on this Body.

CL/85 PROTOCOL FOR MARKING THE DEATH OF A SENIOR NATIONAL FIGURE OR LOCAL HOLDER OF HIGH OFFICE

The Strategic Director presented the report to Council.

RESOLVED:

1.1 Council approved the adoption of the Protocol for Marking the Death of a Senior National Figure or Local Holder of High Office, attached as Appendix 1 to the report.

1.2 Council approved to delegate authority to the Chief Executive to complete and update the Protocol with regard to the Officers responsible for implementation.

CL/86 **OPEN MINUTES**

Council received and considered the open minutes of its Committees.

RESOLVED:-

That the open minutes of the following Committees and Area Forum meetings were approved as a true record:-

Committee	Date	Minute Numbers
Overview & Scrutiny	05.09.18	OS/12-OS/21
Licensing and Appeals Sub-Committee	10.09.18	LAS/21-LAS/23
Planning	25.09.18	PL/77-PL/85
Environmental and Development Services	27.09.18	EDS/42-EDS/55
Housing and Community Services	04.10.18	HCS/32-HCS/43
Finance and Management	11.10.18	FM/69-FM/83

CL/87 **THE COMPOSITION OF COMMITTEES, SUB-COMMITTEES & WORKING PANELS FOR THE REMAINDER OF THE MUNICIPAL YEAR****RESOLVED:**

Council approved the following amendments:

Finance and Management Committee

Councillor Watson to be appointed Vice Chairman, Councillor Macpherson to replace Councillor Murray

Environmental and Development Services Committee

Councillor Pegg to replace Councillor Mrs Hall

Community Partnership Grant Panel

Councillor Richards to replace Councillor Taylor

CL/88 **COMPOSITION OF SUBSTITUTE PANELS****RESOLVED:**

Council approved the following amendments:

Finance and Management Committee

Councillor Pegg to replace Councillor Macpherson

Housing and Community Services Committee

Councillor Pegg to replace Councillor Mrs Hall

CL/89 **REPRESENTATION ON OUTSIDE BODIES**

Council were advised of the following amendments:

Derbyshire Sport is now referred to as Active Derbyshire

Waste Less/Save More Project is no longer running

Burton Hospital NHS Foundation Trust is no longer running

RESOLVED:

Service and Financial Planning Working Group

Councillor Wheeler be removed

CL/90 **MEMBER CHAMPIONS**

RESOLVED:

Council were informed that no amendments were to be made.

CL/91 **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 THE COUNCIL

The Exempt Minutes of the Council Meeting held on 20th September 2018 (CL/72-CL/74) 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:-

<i>Committee</i>	<i>Date</i>	<i>Minute No.'s</i>
<i>Licensing and Appeals Sub-Committee</i>	<i>10.09.18</i>	<i>LAS/24-LAS/26</i>
<i>Environmental and Development Services</i>	<i>27.09.18</i>	<i>EDS/56-EDS/57</i>
<i>Housing and Community Services</i>	<i>04.10.18</i>	<i>HCS/44-HCS/45</i>
<i>Finance and Management</i>	<i>11.10.18</i>	<i>FM/84-FM/88</i>

The meeting terminated at 6.35pm.

COUNCILLOR M STANTON

CHAIRMAN OF THE DISTRICT COUNCIL

REPORT TO:	COUNCIL	AGENDA ITEM: 7
DATE OF MEETING:	17th JANUARY 2019	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 595848 / 595722	DOC:U:\JAYNE\Commtee\COMM REP\Sealed Docs report 17 Jan 19.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>
05.10.18	12102	Transfer – 42 Milton Road, Repton
22.10.18	12129	Transfer – 27 Chatsworth Road, Newhall
07.11.18	12137	Transfer – 4 Coronation Close, Melbourne

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: 10
DATE OF MEETING:	17th JANUARY 2019	CATEGORY: RECOMMENDED
REPORT FROM:	ALLISON THOMAS (STRATEGIC DIRECTOR)	OPEN
MEMBERS' CONTACT POINT:	IAN HEY Ext. 8741 / ian.hey@south-derbys.gov.uk	DOC:
SUBJECT:	ARMED FORCES COVENANT	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Council notes the content of the revised Armed Forces Covenant and agrees to this being re-signed.

2.0 Purpose of the Report

- 2.1 This Report provides background on the new Armed Forces Covenant, and the additional actions that are needed to be taken by the Council to adhere to it.

3.0 Detail

- 3.1 The Armed Forces Covenant is a promise from the nation to ensure that those who serve or who have served, and their families, are treated fairly. This commitment is made in recognition of the sacrifices they make on behalf of the country. The Armed Forces Covenant is not designed to give the Armed Forces, Veterans and their family's preferential treatment compared with other citizens but it should ensure that they get a fair deal and are not disadvantaged because of their military service.
- 3.2 All serving personnel (regulars and reserves), Veterans and their families are considered to be the Armed Forces Community. Children of Armed Forces personnel, no matter the marital status of their parents, should always be considered part of the community while still dependent.
- 3.3 There are no definitive statistics on the number of Armed Forces personnel and Veterans in South Derbyshire. Latest MOD figures estimate around 6-8% of the population are Armed Forces personnel and Veterans in the East Midlands. Therefore, (with a considerable caveat) a very broad extrapolation would be that approximately between 6,000 and 8,000 serving personnel and veterans currently reside in South Derbyshire.
- 3.4 Local Authorities have a part to play in addressing the enduring effects of domestic upheaval, whether constraints are felt in gaining fair access to housing, schooling,

employment or healthcare. The Covenant requests that the Armed Forces Community is taken into account when writing and implementing policies that impact upon local populations.

- 3.5 Underlying the promise that the Armed Forces Community should be treated fairly are two principles:
- The Armed Forces Community should not face disadvantage compared to other citizens in the provision of public services.
 - Special consideration is appropriate in some cases for those who have given the most, such as the injured or bereaved.
- 3.6 In 2012 there were two versions of the Armed Forces Covenant, the Armed Forces Community Covenant and the Armed Forces Business Covenant. South Derbyshire District Council signed up to the Armed Forces Community Covenant. The two versions of the covenant have been amalgamated to produce the current Armed Forces Covenant. The draft version of the revised covenant is appended to this report (Appendix A).
- 3.7 The Council has reviewed the revised covenant to assess potential impact on service delivery. It has been identified that the majority of the requirements of the new Armed Forces Covenant are already being met by existing practice and / or policy. The additional actions required to adhere to the Covenant are detailed in 3.9 below.
- 3.8 The MOD publication Armed Forces Covenant; A Guide for Local Authorities (Appendix B) advises that each Local Authority should have an Elected Member Champion and Officer point of contact. These are already in place within the Council and both attend the county-wide Armed Forces Covenant Partnership Board that meets twice a year.

Additional requirements

- 3.9 Subject to Council agreeing to resign the Covenant staff training may be need for staff on the requirements of the Covenant, especially in relation to access to services and how they are administered.
- 3.10 Upon signing, the Council website will need to be updated to identify that the Council has signed the Armed Forces Covenant and to provide key information together with a statement that identifies what members of the Armed Forces Community can expect.
- 3.11 The MOD publication Armed Forces Covenant; A Guide for Local Authorities also states that each Local Authority will produce and publish an Action Plan to underpin the Covenant commitment; this will help to set out the overall direction and to ensure that the authority keeps on track.
- 3.12 The Council will also be required to promote the Armed Forces Covenant Fund to Community Groups and Forces personnel. This is an enduring government grant awarded to projects that will benefit the Armed Forces community.

4.0 Financial Implications

4.1 None additional as a result of this report.

5.0 Corporate Implications

5.1 Every Local Authority in the country signed up to the previous Armed Forces Community Covenant and are in the process of re-signing the revised Covenant. This will align South Derbyshire District Council with all Local Authorities in Derbyshire and nationally.

6.0 Community Impact

6.1 The Covenant presents an opportunity for Local Authorities to bring knowledge, experience and expertise to bear on the provision of help and advice to members of the Armed Forces community.

6.2 For the Armed Forces community, the Covenant encourages the integration of Service personnel, Veterans and their families into civilian life and to engage with their local community.

7.0 Conclusions

7.1 Signing the Armed Forces Covenant will reaffirm the commitment of the Council to the principles of:

- The Armed Forces Community should not face disadvantage compared to other citizens in the provision of public services.
- Special consideration is appropriate in some cases for those who have given the most, such as the injured or bereaved.

8.0 Background Papers

8.1 Appendix A – Draft Armed Forces Covenant
Appendix B – Armed Forces Covenant – A Guide for Local Authorities.



An Armed Forces Covenant

Between

Local Authorities in Derbyshire

and

The Armed Forces Community

(Serving personnel, both regular and reservist, veterans and military families)

**We, the undersigned, agree to work and act together to honour the
Armed Forces Covenant.**

9 November 2018

The Armed Forces Covenant

An Enduring Covenant Between

The People of the United Kingdom

Her Majesty's Government

– and –

All those who serve or have served in the Armed Forces of the Crown and their
Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces.

In return, the whole nation has a moral obligation to the members of the Royal Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most, such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.

SECTION 1: PARTICIPANTS

- 1.1 This Armed Forces Covenant commitment for Derbyshire is made between:

Derbyshire County Council; Amber Valley Borough Council; Bolsover District Council; Chesterfield Borough Council; Derby City Council; Derbyshire Dales District Council; Erewash Borough Council; High Peak Borough Council; North East Derbyshire District Council; Peak District National Park Authority; South Derbyshire District Council;

and

The Armed Forces Community in Derbyshire (Serving personnel, Regulars & Reserves, veterans and their families)

SECTION 2: PRINCIPLES OF THE ARMED FORCES COVENANT

- 2.1 Life in the Armed Forces is different from the rest of society; Armed Forces personnel make sacrifices on behalf of the nation. They go where they are sent, when they are sent. So families will have to move, sometimes with little notice, to unfamiliar areas; or they may have to live apart for extended periods of time and they will face the stresses and challenges that arise when a loved one is deployed on operational duties.
- 2.2 This means that they can find themselves at a disadvantage in comparison with their civilian neighbours in accessing the goods and services that as citizens we should all expect. The Armed Forces Covenant aims to ensure that those who serve or have served, and their families are treated fairly and are not disadvantaged because of their Service.
- 2.3 The Armed Forces Covenant is based upon two key principles:
- no member of the Armed Forces community should face disadvantage in the provision of public and commercial services compared to any other citizen.
 - in some circumstances, special treatment may be appropriate for the injured or bereaved.
- 2.4 These principles should be taken into account when writing and implementing policies that impact upon the local populations and should be integrated into all the services, support, engagement and work within the Local Authorities of Derbyshire.
- 2.5 For the purposes of this Covenant, the Armed Forces community includes Armed Forces personnel and members of the military sponsored cadet organisations. Armed Forces personnel include serving personnel (regulars and reserves), veterans and their families. Children of Armed Forces personnel, no matter the marital status of their parents, should be considered part of this community while still dependent.
- 2.6 The Covenant presents an opportunity for Local Authorities to bring knowledge, experience and expertise to bear on the provision of help and advice to members of the Armed Forces community.
- 2.7 For the Armed Forces community, the Covenant encourages the integration of Service personnel, Veterans and their families into civilian life and to engage with their local community.

SECTION 3: OBJECTIVES AND GENERAL INTENTIONS

- 3.1 This Armed Forces Covenant defines the enduring, general principles that should govern the relationship between the Nation, the Government and the Armed Forces community
- 3.2 The signatories to this Covenant will offer support and guidance to the local Armed Forces community and make it easier for serving personnel (regular and reserve), veterans and their families to access help and support from statutory providers.
- 3.3 The Covenant is intended to be a two-way arrangement; members of the Armed Forces community are encouraged to do as much as they can to support all aspects of their local community and promote activity which integrates serving personnel, veterans and their families into local community life.

SECTION 4: CORE INFRASTRUCTURE FOR COVENANT DELIVERY

- 4.1 The MOD publication *Armed Forces Covenant A Guide for Local Authorities* provides guidance on the core infrastructure for Covenant delivery, including the following recommendations.
 - a. **Armed Forces Champions & Lead Officers.** Each Local Authority will appoint an Armed Forces Champion and a Lead Officer, empowered to effect change across the LA.
 - b. **Action Plans.** Each Local Authority will produce and publish an Action Plan to underpin the Covenant commitment; this will help to set out the overall direction and to ensure that the authority keeps on track.
- 4.2 **NHS Trusts.** Local Authorities must be aware of the role of the NHS in the county with reference to the NHS online guide *How to support the Armed Forces in the NHS* that provides resources and information on the Armed Forces agenda within the NHS, including how to advocate and demonstrate support to the Armed Forces community.
 - a. **Armed Forces Network.** The NHS Employers' Armed Forces Network is an opportunity for NHS staff leading on the Armed Forces agenda to share and learn from each other.
 - b. **Step into Health.** The Step into Health programme connects employers in the NHS to people from the Armed Forces community, by offering an access route into employment and career development opportunities.
 - c. **Reserve Forces Champions.** The NHS Reserve Forces Champions Scheme aims to increase the awareness of reservists within the NHS and to highlight the benefits of employing reservists.
- 4.3 **Regular Stakeholder Engagement.** Representatives from each Local Authority will meet regularly through the **Derbyshire Armed Forces Covenant Partnership Board**. These meetings will act as a forum where emerging challenges can be discussed and action taken to resolve them; also providing ideal opportunities to share good practice and to network.
- 4.4 **Communications.** The commitments made in this Covenant will be publicised so that local communities are aware of what is being done to deliver them. This will be achieved through dedicated web-pages or newsletters. Local Authority staff who deal with members of the public will be trained so that they are aware of how specific commitments impact upon local services and delivery.

SECTION 5: ACTIONS AND OUTCOMES

5.1 **Derbyshire Armed Forces Covenant Partnership Board.** Each Local Authority will be represented on the Derbyshire Armed Forces Covenant Partnership Board.

5.2 **Armed Forces Covenant Fund.** The best possible use will be made of the Covenant Fund, an enduring government grant awarded to projects that will benefit the Armed Forces community

5.4 **Healthcare**

- a) Strive for equity of access to primary and secondary health care services for Service personnel and their dependents; Service family members should maintain their relative position on any NHS waiting list, if moved around the UK due to the Service person being posted.
- b) Veterans should receive priority treatment (subject to the clinical needs of others) in respect of NHS hospital treatment relating to a condition resulting from their service in the Armed Forces.
- c) Veterans should be able to access mental health professionals who have an understanding of Armed Forces culture.
- d) Ensure the Clinical Commissioning Groups (CCGs) are aware of the potential difficulties faced by members of the Armed Forces community and identify ways in which the CCGs can be involved in Covenant delivery.
- e) Provide appropriate information to local GPs to ensure that they are aware of the provisions offered to ex-Service personnel under the Covenant.

5.5 **Education**

- a) Work with the Department of Children and Young People (DCYP) to determine the numbers and location of the children of serving personnel (regular and reservist), as well as dependent young people, to include Early Years and Children's Centres.
- b) Ensure that schools are aware of the Service Pupil Premium and are claiming all that they are entitled to. Determine ways in which Pupil Premium is spent and identify and share areas of good practice.
- c) Work with schools and local providers to identify where Service personnel's children might require additional support to help them deal with a parent being away from home for long periods of time, often in conflict situations. Children in some Service families may be considered more vulnerable than the general population because of the pressures they face, including PTSD.
- d) Ensure that policies enable a smooth transition for children from Forces families, alleviating any issues that may be experienced finding a school place mid-term, when a serving parent has been transferred to a new area of the UK; assist when issues arise at any other time relating to finding a school place for a dependent child.

5.6 Mobility and Deployment

- a) Identify and share best practice regarding house purchase/rental, enabling service personnel to settle in local communities, working alongside mortgage providers etc. particularly those who have signed the Armed Forces Covenant for businesses.
- b) Ensure the Armed Forces community works closely with council and private housing teams in support of their role of providing advice and support to households leaving the Armed Forces or being re-located within the UK.

5.7 Housing

- a) Maintain strong relationships between Local Authorities and the Armed Forces community to ensure timely and accurate information is given and received regarding movement of Service personnel and their housing needs and aspirations.
- b) Ensure that Local Authorities are mindful and remain aware of the particular issues faced by Service personnel and their families. This includes identifying best practice in solving the most challenging of circumstances where a service family or household is settling in our region from another part of the UK or where the housing need is the result of separation or divorce within a Service family.
- c) Raise awareness of housing issues and develop solutions and support systems required to solve or prevent such issues; such as homelessness by Veterans.

5.8 Social Isolation and sense of community

- a) Promote best practice engagement in communities across Derbyshire, including support to those experiencing social isolation.
- b) Develop projects as identified by local communities, making use of the Covenant Fund as appropriate

5.9 Transition

- a) Raise awareness of the issues experienced by the Armed Forces community, including the challenge of career change, and offer support and information on issues arising during transition into civilian life.
- b) Raise awareness, during transition, and offer support to get involved in volunteering and community action as a pathway to health and wellbeing, developing personal interests, helping others and increasing employability
- c) Ensure that injured Service persons transitioning to the civilian world are able to access supported housing or support to enable their existing home to be modified to meet their needs and that they are quickly and compassionately assessed on their level of care requirements.

5.10 Employment and Employers

- a) Promote mutually beneficial relationships between employers and Defence, by advocating the transferable skills and attributes that Armed Forces personnel bring to the civilian workplace as an economic asset.
- b) Promote the Armed Forces Covenant for business, encouraging employers to sign the Covenant in order to pledge commitments to support Defence personnel by:
 - *promoting the fact that they are an Armed Forces-friendly organisation;*
 - **Veterans:** *seeking to support the employment of veterans and working with the Career Transition Partnership (CTP), in order to establish a tailored employment pathway for Service leavers;*
 - **Service Spouses & Partners:** *striving to support the employment of Service spouses and partners; including flexibility in granting leave before, during and after a partner's deployment;*
 - **Reserves:** *seeking to support employees who are members of the Reserve Forces, including granting special paid leave for training and supporting deployment;*
 - **Cadet Organisations:** *seeking to support employees who are volunteer leaders in military cadet organisations; supporting local cadet units.*
 - **Armed Forces Day:** *aiming to participate actively in Armed Forces Day and Reserves Day.*

5.11 **Remembrance and Recognition.** Promote participation in and support for events and functions to celebrate and remember the sacrifices of our Armed Forces Personnel, both past and present. This will include: Remembrance Sunday and Armistice Day; Armed Forces Day; Reserves Day.

5.12 Information sharing

- a) Raise awareness of the Armed Forces Covenant throughout Derbyshire and particularly to the Public Sector through development of resources and discussion.
- b) Identify good practice within communities which promote greater visibility of the Armed Forces, their contribution and needs.
- c) Promote the Armed Forces Covenant Fund to community groups and Forces personnel.

Section 6: Signatories

Derbyshire County Council

Signed:

Name:

Position:



Amber Valley Borough Council

Signed:

Name:

Position:



Bolsover District Council

Signed:

Name:

Position:



Chesterfield Borough Council

Signed:

Name:

Position:



Derby City Council

Signed:

Name:

Position:



Derbyshire Dales District Council

Signed:

Name:

Position:



Erewash Borough Council

Signed:

Name:

Position:



High Peak Borough Council

Signed:

Name:

Position:



North East Derbyshire District Council

Signed:

Name:

Position:



Peak District National Park Authority

Signed:

Name:

Position:



South Derbyshire District Council

Signed:

Name:

Position:



THE MINISTRY OF DEFENCE

Royal Navy

Signed:

Name: Commander Martin Clegg

Position: SO1 Reserves Engagement Eastern England



Army

Signed:

Name: Colonel Adam Fraser-Hitchen C Eng

Position: Dep Commander (Reserves) HQ 7 Inf Bde and East



Royal Air Force

Signed:

Name: Wing Commander Judith Hird

Position: SO1 Reserves Strategic Engagement





**A Guide for Local Authorities:
How to deliver the Covenant in your area**



The Armed Forces Covenant

An Enduring Covenant Between

The People of the United Kingdom Her Majesty's Government

–and –

All those who serve or have served in the Armed Forces of the Crown

And their Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.



THE ARMED FORCES COVENANT

The Armed Forces Covenant is a promise from the nation ensuring that those who serve or who have served, and their families, are treated fairly. This commitment is made in recognition of the sacrifices they make on behalf of the country. The Armed Forces Covenant is not designed to give the Armed Forces, Veterans and their families' preferential treatment compared with other citizens but it should ensure that they get a fair deal and are not disadvantaged because of their Service.

The Armed Forces Covenant relies on the government, communities, businesses, and individuals of the UK to actively support it in order to make a difference. Local Authorities are at the heart of that support group, but your organisation will be one of many who are working hard to make sure that Servicemen and women, veterans and their families get a fair deal.

This guide aims to explain how Service life affects the Armed Forces and the ways you can make sure that your services take account of the needs of the Armed Forces Community.

Who do we mean by the Armed Forces Community?

All serving personnel (regulars and reserves), veterans and their families are considered to be the Armed Forces Community. Children of Armed Forces personnel – no matter the marital status of their parents – should always be considered part of the community while still dependent.¹

The Armed Forces Covenant applies to all elements of the Service community, whether they are based in the UK or overseas. Service families should not expect to face disadvantage from the requirement to serve overseas. A number of remunerative and non-remunerative measures help to offset those aspects of hardship associated with Service life abroad. However, Local Authorities have a part to play in addressing the enduring effects of domestic upheaval, whether constraints are felt in gaining fair access to housing, schooling, employment or healthcare.

Why do we need an Armed Forces Covenant?

Life in the Armed Forces is different to the rest of society. Whilst a military career is challenging and rewarding, Armed Forces personnel make sacrifices in order to serve. They go where they are sent, when they are sent. As long as we need to defend our nation and its interests in an uncertain and dangerous world, we will need Armed Forces that are ready and willing to serve when called. So families will have to move, sometimes with little notice, to unfamiliar areas. Or they may have to live apart for extended periods of time and cope with the issues that this can bring. And they will face the stresses and strains that arise when their loved one is deployed on operational commitments.

All of this means that they can find themselves at a disadvantage in comparison with their civilian neighbours in accessing the goods and services that as citizens we should all expect.

1. We also encourage local authorities to include provision for separated/divorced spouses or civil partners as they transit out of the Armed Forces Community.

What to do

Your local Armed Forces Community is part of your local community, and as such, ensuring that they are treated fairly and not disadvantaged should be integrated into all the services, support, engagement and work you do with your local community.

There is not a set formula for Local Authorities to follow. The level of support you provide will depend on the size of your Armed Forces Community and their individual needs. However, every Local Authority has a role supporting its Armed Forces Community.

This may seem like a daunting challenge but put simply, it is about ensuring the Armed Forces Community are taken into account when writing and implementing policies that impact upon your local population – and there will be members of the Armed Forces Community in your local population.

When considering how you should approach the Armed Forces Covenant you should remember that underlying the promise that the Armed Forces Community should be treated fairly lay two principles:

- The Armed Forces Community should not face disadvantage compared to other citizens in the provision of public services
- Special consideration is appropriate in some cases for those who have given the most, such as the injured or bereaved.

What do we mean by these principles?

What do we mean by the first? Where do our Armed Forces Community find themselves at a disadvantage in comparison with their fellow citizens?

Service personnel and their families can experience a far higher level of mobility than other citizens and could for example find themselves continually at the bottom of health or social housing waiting lists, or have real difficulties finding places for their children at local schools. So Covenant pledges that support the Armed Forces Community will need to ensure that the key policies in housing, healthcare and education are flexible enough to reflect the realities of life in the Armed Forces.

This does not mean that those in the Armed Forces Community should jump to the top of the queue or be given special treatment – they don't want that - but it does mean that we can't allow them to fall behind or be forgotten.

It does not mean, for example, that when returning to their home area after years of Service they are automatically entitled to a house; but it does mean that they should be given the right to have the same local connection and consideration as their old school friend who never left his or her home town.

It does not mean that children of Service families should have guaranteed places at the top schools; but it does mean that there should be procedures - and enough flexibility in the system - to allow these children a school place – often at short notice, sometimes with no accommodation or postcode finalised and mid-term.



And the second principle?

All those who have signed the Armed Forces Covenant – and every Local Authority in Great Britain has – will agree that we have a duty as a nation to support those who have made the greatest sacrifices on the country's behalf; those who have been injured or those who have been bereaved.

In central government this means ensuring, for example, that an injured Serviceperson gets the very best medical and rehabilitation treatment that this country can offer and is equipped with the training and resources he or she needs to look to the future with confidence.

For Local Authorities it could mean, in the case of an injured Serviceperson who is transitioning to the civilian world, for example, that they are able to access supported housing or that their existing home can be modified quickly to meet their needs, and that they are quickly and compassionately assessed on their level of care requirements.

What next?

Local Authorities know their local circumstances best, and are in the best position to determine how to deliver their Covenant commitments. To help support Local Authorities, in 2016 the Forces in Mind Trust and the Local Government Association commissioned an independent survey and review of the delivery of local Covenant pledges – the “Our Community – Our Covenant Report” - which sets out good practice and helpful steps that local partnerships can adopt. The full report and executive summary can be found here - <http://www.fim-trust.org/reports/> - but we've also included some of its key findings and examples of good practice that we feel could be helpful in this guide. A full copy of the report's tool-kit, including top tips and a self-assessment tool, can be found at the Annex.

Be a Forces Friendly Employer

Reservists and veterans bring a variety of transferable skills and qualities to the civilian workplace, developed throughout their military careers. Being flexible to the unique situations of the wider Armed Forces Community ensures fair treatment to all who are involved, including spouses/partners and families.

You can find out what the [Armed Forces Covenant means for employers](#) or to get tips for Covenant best practice visit the [Armed Forces Covenant](#) website.

Employer Recognition Scheme

The [Employer Recognition Scheme \(ERS\)](#) acknowledges employers who have provided exceptional support to the Armed Forces Community and defence by going above and beyond their Covenant pledges. Through a 3 tier approach of bronze, silver and gold awards, the scheme recognises the different levels of commitment provided by employers. This allows the Ministry of Defence to publicly thank and honour those organisations for their support.

Find out more at <https://www.armedforcescovenant.gov.uk/support-and-advice/businesses/> and see what Hampshire County Council have achieved at <https://www.hants.gov.uk/community/armedforces/staffreservists>

CORE INFRASTRUCTURE FOR COVENANT DELIVERY

Drawing on the findings of the Our Community – Our Covenant report’s research, a description of a core infrastructure was drawn up to reflect the action taken by Local Authorities that have successfully implemented the Covenant. These are summarised in the table below.

Our Community – Our Covenant Report – Core Infrastructure to deliver the Armed Forces Covenant	
Individuals	Collaboration
<ul style="list-style-type: none"> • An elected member champion • An officer point of contact within the council 	<ul style="list-style-type: none"> • A Covenant Forum or co-ordinating group that meets at least twice a year. It includes the following: military representatives; military charities; public sector representatives; effective council members (senior elected members on cabinet); and the officer champion. Each forum should review its membership, agenda and frequency of meeting every three or four years. • In some places (for example London) councils and their partners may wish to establish a mechanism for collaboration at a sub-regional level. This could include: joint forums and action plans, applications for the Covenant fund, training packages and a shared web presence.
Communication	Vision and Commitment
<ul style="list-style-type: none"> • A web page or presence to support delivery of the Covenant with key information and links for members of the Armed Forces Community. • A clear public statement of what members of the Armed Forces Community can expect from the Council • A route through which concerns can be raised • Training of frontline staff • A vehicle for reporting action and achievements such as an annual report, newsletter or forum minutes 	<ul style="list-style-type: none"> • An action plan that leads to action and is monitored and reviewed • Policy reviews • Enthusiasm and commitment

Armed Forces Champions and Lead Officers

A key step is to appoint both an Armed Forces Champion (the Our Community – Our Covenant report recommends this be an elected member) and a Lead Officer. Ideally the individuals will care about supporting the Armed Forces and be empowered to effect change right across the Local Authority. But it can be a busy job, especially in the beginning, and therefore they also need to be able to allocate the time required. While not prescriptive, we advise that Champions/Lead Officers should follow the general guidance set out below:

- Ensure that your role as Armed Forces Champion/Lead Officer and contact details are publicised within and outside the organisation.
- Understand the aims of the Armed Forces Covenant, how the Covenant can support these aims in local communities and how the Local Authority can uphold the Covenant.
- Consider the needs of the Armed Forces Community in relation to Local Authority policies and service delivery, such as the Joint Strategic Needs Assessment or housing allocation schemes.
- Actively communicate the Covenant within the Community and the Covenant Partnership's work in taking it forward both within and outside the organisation.
- Be the point of contact for local Armed Forces (including Reserve) Unit(s) and other key stakeholders, such as Service charities and other service providers.
- Ensure that staff who have daily contact with the public are aware of the Covenant and understand how it impacts upon local services and delivery.
- Capitalise on the opportunities presented by Armed Forces Week and Remembrance Day to promote the Armed Forces and the Armed Forces Covenant.
- Promote the Armed Forces Covenant to local businesses and organisations, particularly among Local Authority suppliers and contractors.
- Identify whether your organisation employs any members of the Armed Forces Community and ensure that any employment practices take the issues and concerns of the Armed Forces Community into account.
- Most of all, remember that you are not alone and there are a number of organisations who can offer help and advice on how you can effectively deliver your local Covenant.

Action Plans

Put together an Action Plan to underpin your Covenant commitment. The 'measures' section of the Covenant pledge document can be personalised to list the specific commitments that your Local Authority wishes to sign up to. This helps you to set out the overall direction and ensures that you and your fellow stakeholders keep on track. If you publish your Action Plan you can also ensure that your



local community are aware of your commitments and plans. An example of an action plan used by Woking Borough Council can be found [here](#).

Regular Stakeholder Engagement

By organising regular meetings of key stakeholders who are involved with the Armed Forces and in the provision of services in your area² and, of course with the Armed Forces themselves, you can ensure that the Armed Forces Community are considered when policies and plans are put in place.

These meetings can act as a forum where emerging challenges can be discussed and action taken to resolve them. If the right stakeholders are involved, it can also present an ideal opportunity to share good practice and to network. The Covenant will never be finished or done. It will need to flex and adapt to changing circumstances and regular meetings are an excellent way to make sure that these are addressed in a timely manner.

Annual Reports

The Secretary of State for Defence is required under law to report annually on the progress being made under the Armed Forces Covenant, setting out the areas of challenge that remain and their plans to tackle them. By doing so, the government ensures that it is held to account for delivery of Covenant initiatives. A local version of the Annual Report could well work in the same way for your Authority and for the stakeholders that work with you. It can work as a demonstration of your commitment, keeping the Covenant under effective executive oversight and identifying new challenges while also recognising local achievements.

Communications

The Armed Forces Covenant only works if people know that it's there and what it's setting out to do. It is important to publicise the commitments you have made, and highlight what the Local Authority and its partners have done to deliver these, so your local community are aware of what is on offer. This can be done through dedicated webpages or regular newsletters. Examples from Argyll and Bute and Surrey are here - <https://www.argyll-bute.gov.uk/armed-forces> ; <https://www.surreycc.gov.uk/people-and-community/advice-guidance-and-support/armed-forces>

It is also vital to ensure that Local Authority staff who deal with members of the public are aware of the Covenant generally and about how your Authority's specific commitments impact upon local services and delivery. Further information on the staff training package currently provided by Warwickshire County Council, which has been made available at no cost to all Local Authorities, community and voluntary sector organisations, can be found here - <http://www.warwickshire.gov.uk/blog/archives/alerts/free-training-on-the-armed-forces-covenant-and-community>

2. These could include organisations such as Children's services, Head of Education, Head of Housing, Housing Associations, Local Enterprise Partnership, CCG Representatives, Local police, DWP Armed Forces Champion, MH Partnership Trust, Healthwatch, Local Charities, Local military unit Commanders, Families Federations or Service Charities.

Our Community - Our Covenant report extract – Self-Assessment Tool on Communication	
Internal	<ul style="list-style-type: none"> • How are council/MoD/charity officers and front line staff briefed on the Covenant? • How is knowledge and information gathered? • How could knowledge sharing within organisations be improved?
External	<ul style="list-style-type: none"> • How is action on local Covenant pledges disseminated to the public? • How could the dissemination of information be improved? • Is there an up to date website which is easy to use and regularly updated? Who hosts the website (council, HIVE or equivalent or charity)? • How is the support which is on offer to the AFC communicated to the hard to reach?
Impact	<ul style="list-style-type: none"> • How is the impact of local Covenant delivery evidenced?

KEY SERVICES - DETAILED GUIDANCE

As a member of a Local Authority you may be responsible – in some degree – for the provision of health, education or social housing; all key concerns for members of our Armed Forces Community. As public services are delivered differently in each of the UK home nations, detailed guidance (in a series of four annexes) has been prepared and can be found [here](#).

Links to the key Covenant websites and useful organisations involved in delivering specific services can be found at the end of this guide.

REMEMBRANCE AND RECOGNITION

All sorts of events and functions can be organised at any time of the year to celebrate and remember the sacrifices of our Armed Forces personnel, both past and present, and there are many examples of the Local Authorities already doing so.

Examples at the links below from West Norfolk's website and a news article about events in Herefordshire show the sort of activities that take place all over the country - https://www.west-norfolk.gov.uk/info/20007/people_and_communities/237/armed_forces_support; <https://www.hcr-law.com/event/herefordshires-1916-centenary-commemoration-armed-forces-day/>.

However below are some key dates for your diary.



Remembrance Sunday and Armistice Day

Remembrance Sunday is held as a day "to commemorate the contribution of British and Commonwealth military and civilian Servicemen and women in the two World Wars and later conflicts". Local Authorities lead on the delivery of these events with assistance from local police and military charities as appropriate. It is held on the second Sunday in November.

Across the United Kingdom, Remembrance Sunday is marked by ceremonies at local war memorials in most cities, towns and villages, attended by civic dignitaries, ex-servicemen and women and serving members of the Armed Forces.

Armistice Day is the commemoration of the end of hostilities in the First World War and is held every year on 11 November.

Armed Forces Day

Armed Forces Day is a chance to show your support and say thank you to the men and women who make up the Armed Forces Community: from currently serving troops, reservists, Service families, veterans and cadets. There are many ways for people, communities and organisations across the country to show their support and participate; from attending an event to throwing a party or local event. Armed Forces Day takes place each year on the last Saturday in June. To find out more about how you can get involved visit the Armed Forces Day website -

<https://www.armedforcesday.org.uk/about/>

Reserves Day

Reservists give up their spare time to serve in the Reserve Forces, balancing their civilian life with a military career to ensure that should their country require them, they would be ready to serve as part of the military.

The Reserve Forces make up approximately one sixth of our Armed Forces personnel and as such are integral to protecting the nation's security at home and overseas, particularly providing capability in specialist areas such as medical and cyber.

Like their Regular colleagues, Reservists are currently supporting operations in the UK and overseas. . However, the contribution they make to our Armed Forces often goes unrecognised. As such an annual Reserves Day was created to highlight and recognise the valuable contribution Reservists make to our Armed Forces.

To find out how you can get involved and play your part in publically recognising our Reserve Forces visit the webpage here - <https://www.armedforcesday.org.uk/reserves-day/>



COVENANT FUNDING

The Covenant Fund is an enduring government grant awarded to projects that will benefit the armed forces and the community. Projects range from building new nurseries in civilian areas where many armed forces families live, to funding military themed activities that increase understanding between military and civilian communities in the same area.

Local Authorities are among the organisations eligible to apply to the Covenant Fund. Examples of projects it has funded can be found by visiting the LA section of our Covenant Webpage -

<https://www.armedforcescovenant.gov.uk/localauthorities/>

The Covenant Fund has 4 broad funding themes for now and in future years:

- Removing barriers to family life.
- Extra support after service for those that need help.
- Measures to integrate military and civilian communities and allow the Armed Forces Community to participate as citizens.
- Non-core healthcare services for veterans.

The themes will shape the fund, but priorities will be adapted within them annually to ensure that the fund stays focussed and current.

The funding priorities for April 2017 to March 2018 are as follows:

- Families in stress
- Strengthening local government delivery of the Covenant
- Armed Forces Covenant: local grants
- A single grant to produce a map of need for the Covenant Fund
- A single grant to produce an outcomes framework for the Covenant Fund

Other information

Funding is limited, so we will only be able to fund the very best projects. As this is an enduring fund, there will be plenty of opportunity to apply in the coming months and years if your project is not quite ready yet.

Contact the Covenant Grant Team

Further information on the priorities, eligibility and application process can be found on the guidance page - <https://www.gov.uk/government/publications/covenant-fund-guidance-on-how-to-apply>

If you have any questions which are not covered by the guidance, you can contact us by email at covenant-grantteammailbox@mod.uk.

Further details on annual priorities and how to apply for funding can be found here -

<https://www.gov.uk/government/collections/covenant-fund>



VETERANS GATEWAY

The Veterans' Gateway provides a single point of contact to make it more straightforward for veterans and their families to obtain the right information, advice and support. The Veterans' Gateway provides website, online chat, phone line and text message services to all veterans wherever they are located, 24 hours a day, 7 days a week. It gives access to a network of specialist organisations from housing and recovery to mental health services, financial advice and employment support. It does not provide services itself, or therefore replicate, compete with or undermine existing charities or Government departments. The website is available here www.veteransgateway.org.uk

Finally...

The Covenant will never be finished or done. It will need to flex and adapt to changing circumstances that will throw up new challenges for our Armed Forces Community and for the communities in which they find themselves living. Using the Armed Forces Covenant as a mechanism to better identify areas of need and co-ordinate service provision, we can all work together to ensure that our Armed Forces Community get the fair deal they deserve.

USEFUL LINKS AND CONTACTS

The Armed Forces Covenant Annual Report 2016 details all that has already been achieved and what still needs to be done. It includes contributions from the Scottish, Welsh and Northern Irish governments on the Covenant commitments they have delivered. You can also find out more about their work by visiting their websites. To find out more about the Armed Forces Covenant and what it means to you visit: www.armedforcescovenant.gov.uk

The Covenant in Scotland: <https://beta.gov.scot/policies/veterans-and-armed-forces/>

The Covenant in Wales: <http://gov.wales/topics/people-and-communities/safety/armedforces/package-of-support/?lang=en>

Details of Local Authorities veterans' champions in Northern Ireland can be found here: <http://www.reservesandcadetsni.org.uk/veteran/>

NHS choices - Armed Forces Community healthcare: <http://www.nhs.uk/NHSEngland/Militaryhealthcare/Pages/Militaryhealthcare.aspx>

Moneyforce website: <http://www.moneyforce.org.uk/>

Veterans UK: <https://www.gov.uk/government/organisations/veterans-uk>

The Royal British Legion: <http://www.britishlegion.org.uk/>

SSAFA: <https://www.ssafa.org.uk/>

The War Widows Association: <http://www.warwidows.org.uk/>

The Confederation of Service Charities: <https://www.cobseo.org.uk/>



The Naval Families Federation: <http://nff.org.uk/>

The Army Families Federation: <http://www.aff.org.uk/>

The RAF Families Federation: <http://www.raf-ff.org.uk/>

Citizens Advice Bureau: <https://www.citizensadvice.org.uk/>

Royal Navy and Royal Marines Welfare Information Service:
<http://www.royalnavy.mod.uk/welfare/welfare-teams>

RAF HIVE Information Service: <https://www.raf.mod.uk/community/support/raf-hive-information-service/>

Army Hive (Forces Welfare): <http://www.army.mod.uk/welfare-support/23438.aspx>

Veterans Gateway is the first point of contact for veterans and their families to access information, advice and support on a range of issues including healthcare, housing, and employment:
<https://www.gov.uk/government/news/veterans-gateway>

Health Issues

For England: [NHS Choices](#)

For Scotland: <http://www.scot.nhs.uk/> and <http://www.gov.scot/Topics/Health/Services/Armed-Forces>

For Wales: <http://www.nhsdirect.wales.nhs.uk/> and <http://www.veteranswales.co.uk/>

For Northern Ireland: <http://online.hscni.net/>

Government information pages: <https://www.gov.uk/>

Education

MODs Children's Education Advisory Service: <https://www.gov.uk/guidance/childrens-education-advisory-service>

Service Children in State Schools (SCISS) is a working group of educational specialists. They have produced a handbook for schools that explains how children's learning and well-being can be affected by their parent's service: <https://www.gov.uk/government/publications/service-children-in-state-schools-handbook>

The 'Supporting Service Children in Education' project is led by the Welsh Local Government Association and is funded by the MOD Education Support Fund <http://www.sseccymru.co.uk/home/>

Accommodation

Forces Help to Buy: <https://www.gov.uk/guidance/forces-help-to-buy>

Joint Services Housing Advice Office: <https://www.gov.uk/government/collections/joint-service-housing-advice-office-jshao>



England: The Department for Communities and Local Government's website gives a variety of guidance on social housing and other accommodation options available to serving and ex-Service personnel. More information can be found here:

<https://www.gov.uk/government/publications/allocation-of-accommodation-guidance-for-local-housing-authorities-in-england>

Scotland: <http://www.gov.scot/Publications/2010/03/24165717/1>

Wales: <http://gov.wales/docs/desh/publications/160324-code-of-guidance-for-local-authorities-on-allocation-of-accommodation-and-homelessness-en.pdf>

Wales Housing Pathway for ex-Service personnel:

<http://gov.wales/docs/housing-and-regeneration/services-and-support/homelessness/national-housing-pathway-fo-ex-service-personnel/?lang=en>

Housing in Northern Ireland: <http://www.nihe.gov.uk/allocations>

Employment, Training and Support

The [University of Wolverhampton – Supporting the Unsung Hero](#) scheme is designed to help Armed Forces family members start up their own businesses by providing free training, advice and support before, during and for a period of time after they set up their own companies.

[RBLI LifeWorks](#) offers courses and support services with the aim of helping veterans gain employment and [RBLI LifeWorks for Families](#) offers courses and support services with the aim of helping Service family members gain employment. [RBL Civvy Street](#) is a website for serving and ex-Service personnel and their dependents. It offers free information and advice about resettlement into civilian life, training and work.

[The British Forces Resettlement Service](#) is a not-for-profit scheme created to help members of the Armed Forces community with employment aspects of their transition to civilian life.

[The Recovery Career Services](#). This is a tri-Service scheme offering careers advice and support to wounded, injured and sick personnel who are leaving the Armed Forces.

[Department of Work and Pensions “JobCentre Plus” Armed Forces Champions](#) The Department for Work and Pensions has made commitments to support the Armed Forces community.

OUR COMMUNITY – OUR COVENANT REPORT - TOOL KIT

This tool kit is designed to help councils think constructively about their local Armed Forces Community and the implementation of their local Covenant pledges. We began developing each element of this toolkit during the initial research for the first edition of this report. We have revised the toolkit in the light of the four additional deep dives and the London Boroughs Covenant event by making some changes to the core infrastructure and the self-assessment tool. We envisage councils use the tool as a way to review their implementation of the Armed Forces Covenant, identify any gaps and prompt discussion between stakeholders. It consists of three parts:

- Core Infrastructure and the self-assessment tool
- Scenarios
- Top Tips

CORE INFRASTRUCTURE

The list of core infrastructure was developed during the beginning of the research for the first edition of 'Our Community – Our Covenant'. It specifies the mechanisms that we think councils which are delivering the Covenant will have in place. We tested the list throughout our initial deep dives and during our further four deep dives and have made some changes related to our findings. The final core infrastructure list can be found below. This list will be useful for councils to use as a checklist to ensure that the basics are in place in that particular location.

Our Community – Our Covenant Report – Core Infrastructure to deliver the Armed Forces Covenant	
Individuals	Collaboration
<p>An elected member champion</p> <p>An officer point of contact within the council</p>	<p>A Covenant Forum or co-ordinating group that meets at least twice a year. It includes the following: military representatives; military charities; public sector representatives; effective council members (senior elected members on cabinet); and the officer champion. Each forum should review its membership, agenda and frequency of meeting every three or four years.</p> <p>In some places (for example London) councils and their partners may wish to establish a mechanism for collaboration at a sub-regional level. This could include: joint forums and action plans, applications for the Covenant fund, training packages and a shared web presence.</p>

Communication	Vision and Commitment
<p>A web page or presence to support delivery of the Covenant with key information and links for members of the Armed Forces Community.</p> <p>A clear public statement of what members of the Armed Forces Community can expect from the Council</p> <p>A route through which concerns can be raised</p> <p>Training of frontline staff</p> <p>A vehicle for reporting action and achievements such as an annual report, newsletter or forum minutes</p>	<p>An action plan that leads to action and is monitored and reviewed</p> <p>Policy reviews</p> <p>Enthusiasm and commitment</p>

SELF-ASSESSMENT TOOL

We drafted a self-assessment tool during the first edition of this report and have tested this out throughout our subsequent deep dives. We developed this tool for councils who are wanting to assess the situation of their local Covenant pledges. It will enable local partners to have a meaningful discussion about their commitment to ensuring members of the Armed Forces Community do not face disadvantage due to their service. It will identify any gaps in provision and focus future action for delivery and therefore would be a useful activity to complete every year.

The tool is split into four sections: vision and commitment; individuals; collaboration; and communication. It is designed for members of the Armed Forces Covenant Forum, or a range of stakeholders (including council officers, military representatives, and representatives from military charities) to have a conversation about their local area in relation to the prompts. It is not designed for every question to have an answer, but merely a way for a question to be considered if it is relevant in each local context.

Vision and Commitment
<p>Armed Forces Community presence</p> <ul style="list-style-type: none"> • What is the AFC make-up in your local area? • What more could be done to fully understand the AFC footprint? • Is there potential for collaboration on the delivery of the Armed Forces Covenant with neighbouring councils?
<p>Armed Forces Community needs</p> <ul style="list-style-type: none"> • Is there a good understanding of the needs of the AFC in housing, health, employment and schools and children's services? How were those needs identified? • Which organisations would be able to help address those needs? (ie. Council, Armed Forces, charities). • What is currently being done to help address those needs? • What else can be done to address these needs?

Future direction <ul style="list-style-type: none"> • Is there a shared understanding of what successful implementation of the Covenant would look like?
Action planning process <ul style="list-style-type: none"> • Have the areas for action been defined? • Is there an agreed method to the action planning process? • How is the action monitored and reviewed?
Individuals
Armed Forces Champion <ul style="list-style-type: none"> • Is there an elected member Armed Forces Champion? • What does the role involve? • Are there areas in which the role of the Armed Forces Champion can evolve?
Officers <ul style="list-style-type: none"> • Who is the senior officer responsible for the delivery of the Armed Forces Covenant and who has day to day responsibility for it? • How can this role be further supported?
COLLABORATION
Forum/ co-ordinating group <ul style="list-style-type: none"> • Is there a Covenant Forum in place? Who are the members of the forum? How frequently does it meet? • What are the key items covered at the forum? • How are any actions being monitored? • To what extent are the goals of the forum being achieved? What could be done to increase the impact the forum is having? • How frequently is the forum's membership, agenda and frequency of meeting reviewed? • • Would it help if there was a sub-regional forum with neighbouring councils?
Relationships <ul style="list-style-type: none"> • Are there mechanisms in place to maintain relationships between Armed Forces stakeholders? • Could the council, the Armed Forces and charities work together more effectively? • Would an increase in sub-regional collaboration help with delivering local Covenant pledges?
COMMUNICATION
Internal <ul style="list-style-type: none"> • How are council/MoD/charity officers and front line staff briefed on the Covenant? <ul style="list-style-type: none"> • How is knowledge and information gathered? • How could knowledge sharing within organisations be improved?
External <ul style="list-style-type: none"> • How is action on local Covenant pledges disseminated to the public? • How could the dissemination of information be improved? • Is there an up to date website which is easy to use and regularly updated? Who hosts the website (council, HIVE or equivalent or charity)? <ul style="list-style-type: none"> • • How is the support which is on offer to the AFC communicated to the hard to reach?
Impact <ul style="list-style-type: none"> • How is the impact of local Covenant delivery evidenced?

SCENARIOS

We developed the following scenarios for the sense-making event during research for the first edition of the report. These scenarios relate to the range of issues that we have found to occur and will not be relevant in all places. It is a useful tool for councils to use to think about the delivery mechanisms that they have in place in order to address the main issues in the scenario. Councils could use these by asking the question, “what would we be able to do if we were faced with a resident in this situation?”

THE NELSONS: A Royal Navy family living in MOD Service Families Accommodation. The father is a submariner currently on patrol and can only be contacted in an extreme emergency. The mother does not have a job. They have two children aged 6 and 10. The deadline for applications for the older child for secondary schools is imminent. The parents have separated and are in the process of divorcing; the husband when onshore stays on base in MOD single living accommodation. The family has been served with notice to vacate their house in 93 days. The mother wishes to stay in the area (in which housing pressures are acute) and has approached the Local Authority for help.

THE DARLINGS: An Army family. They are moving from Germany to a base in an English county. Service Families Accommodation is provided at three locations in the area and the family has been told that they will not know precisely where in the county their accommodation will be until two weeks before they arrive. They have two children aged 8 and 13. The youngest has dyslexia and has a special educational needs assessment, whilst the older child requires routine but specialist secondary medical monitoring.

THE TRENCHARDS: A Royal Air Force family. He is in the RAF Regiment and is due to leave the RAF in 5 months at the end of his engagement, aged 44. His wife has a part-time job. They have two children aged 16 and 17 at the local Sixth Form College and want to settle in the area. Having joined the RAF initially as an airman, the father is now a Junior Officer with qualifications which are not fully recognised outside the Armed Forces. The father is beginning to look for work and for ways of translating his qualifications to be recognised by civilian employers. They do not have enough money to place a deposit on a house. What help is available to them, in housing and employment, as well as any other areas?

ROGER JARVIS: Roger left the Army in 2001, having served in the Royal Logistics Corps for 14 years and taken voluntary redundancy as a Senior Non Commissioned Officer. He is in his early 50s and left his wife 8 years ago amidst mutual allegations of domestic abuse. He has had a variety of low-skilled jobs since leaving the Army and was recently made redundant and was not able to pay the rent on his flat. He has now moved back, without work, to the area in which he went to school, but his family no longer lives in the area and he appears to have no social network there either.

TOP TIPS

During the course of our deep dive visits we have identified a number of Top Tips which we think may be helpful to Local Authorities and their partners who are thinking about ways of improving the local delivery of the Covenant. The following Top Tips are intended to complement the tips that are included earlier in our report.

Good relationships

Establish, maintain and regularly refresh contact with base commanders and other key people in Armed Forces bases (reflecting the regular churn in postholders).

Use ceremonies to build and maintain contacts with key people.

Invite senior representatives of the Armed Forces Community to serve on relevant local partnership bodies, not just those concerned with the Covenant.

Build and maintain good contacts with Armed Forces charities and establish a shared understanding with them on issues such as at what stage people with housing needs will be referred to them.

Council organisation

Establish a dedicated, time-limited post to help get the core infrastructure and contacts in place.

Encourage the Authority's overview and scrutiny function to carry out a regular review of the delivery of the Covenant.

Ensure that the Covenant features in Local Authority training programmes.

Involve The Royal British Legion or another similar charity in briefing public-facing council staff.

Employ Veterans and Service spouses as key workers providing support for Veterans.

Engaging with the bases

Secure, enable, encourage shared use of facilities on or near Armed Forces bases.

Identify a champion for each base – usually the member in whose ward or division the base is located.

Engage with young people from Armed Forces families – they bring a different and honest perspective. This can be done through the Service Youth Forums.

REPORT TO:	COUNCIL	AGENDA ITEM: 11
DATE OF MEETING:	17th JANUARY 2019	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ARDIP KAUR 01283 595715 DAVID CLAMP 01283 595729	DOC:
SUBJECT:	COUNCIL CONSTITUTION - POLICY UPDATES	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

1.1 That the following updated documents, which are attached as Appendices to this report, replace the existing ones in the Council's Constitution;

- Appointment Procedure for Chief Executive and Directors
- Protocol for Member/Employee Relations
- Employee Code of Conduct
- Disciplinary Procedure for Head of Paid Service, Statutory Officers and Director positions

2.0 Purpose of the Report

2.1 To update the Council's Constitution with revised documents.

3.0 Detail

3.1 A review of existing policies in the Council's Constitution has been completed and some minor changes have been made to a number that need to be formally adopted. In the main they relate to changing references to different legislation such as the introduction of the Data Protection Act 2018 and to use the new policy template adopted by the Council.

3.2 The Disciplinary Procedure for Head of Paid Service, Statutory Officers and Director Positions has had the most detailed review following changes to the statutory procedures that were contained in the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

Appointment Procedure for Chief Executive and Directors

3.3 The appointment to these positions is covered by the provisions of The Local Authorities (Standing Orders) (England) Regulations 2001 SI No. 3384. The Regulations provide that:

- Members may only be involved in the appointment of senior officers.
- Members will have the opportunity to raise objections to the decision about the appointments.
- All appointments of staff below the level of Director should be conducted at officer level.
- The appointment of the Head of Paid Service will require a decision by Full Council.

3.4 There has been no other material changes to this Procedure since it was approved by Council on 21 January 2016.

Protocol for Member/Employee Relations

- 3.5 This document sets down how Elected Members and employees will work together in the delivery of services for the community of South Derbyshire. In particular, it provides details on the roles of Elected Members and how officers provide support and advice to exercise the various policies and procedures used by the Council.
- 3.6 This Protocol has also been updated to reflect the changed arrangements following the removal of the Standard Board for England (Section 14), and was last approved on 21 January 2016.

Employee Code of Conduct

- 3.7 The purpose of the Employee Code of Conduct is to supplement an employee's terms and conditions of employment and to clarify the standards of conduct and behaviours expected of Local Government employees. The Code draws together policies of the Council and relevant legislation and aims to assist employees to perform their duties to the best of their abilities.
- 3.8 There has been no other material change to this Procedure since it was approved by Council on 21 January 2016.

Disciplinary Procedure for Head of Paid Service, Statutory Officers and Director Positions

- 3.9 As noted in 3.2, statutory changes made to the above arrangements relating to formal disciplinary action being taken, up to and including dismissal.
- 3.10 The new Regulations set out the process to be followed before a statutory officer can be dismissed for disciplinary reasons. The main change from the old provisions is the removal of the Designated Independent Person (DIP) investigation and report process. Under the new procedures, the dismissal of a protected officer in respect of disciplinary action must be approved by way of a vote at a meeting of the authority. Previously, an authority had to take action in accordance with DIP recommendations.
- 3.11 Clarification and further guidance on a number of issues had to be sought from the Government before a revised procedure could be drafted. Following this, consultation has been completed with those Officers that are directly affected by the changes as well as the Trade Unions at a meeting of the Joint Negotiating Group held on 6th September 2018.

4.0 Financial Implications

4.1 None directly arising from the report.

5.0 Corporate Implications

Employment Implications

5.1 These Policies set down the expectations of the Council and procedures that will be followed in different employment situations.

6.0 Community Impact

6.1 None arising direct from this report

7.0 Conclusions

7.1 The review of the documents in this report will then, subject to approval, be incorporated in to the Council's Constitution.

8.0 Background Papers

8.1 The revised documents are attached as;

Appendix 1	Appointment Procedure for Chief Executive and Directors
Appendix 2	Protocol for Member/Employee Relations
Appendix 3	Employee Code of Conduct
Appendix 4	Disciplinary Procedure for Head of Paid Service, Statutory Officers and Director Positions

Appointment Procedure for Chief Executive & Directors

Human Resources
August 2018

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Version Control

Version	Description of version	Effective Date
1.0	Senior Officer Recruitment	
2.0	Amended to take into account structure and audit on employment checks	1 st June 2014
3.0	Updated version for Full Council	21 st January 2016
4.0	General review	21 st August 2018

Approvals

Approved by	Date
Joint Negotiating Group	n/a
Joint Consultative Committee (if applicable)	n/a
Finance & Management Committee	n/a
Full Council	21 st January 2016

1.0 Policy Statement

- 1.1 South Derbyshire District Council is committed to the principle of equal opportunity and fairness in the provision of services and employment. The Council will promote best practice to eliminate discrimination in employment and create a working environment where everyone is treated fairly and with respect.
- 1.2 The overall aims of this procedure are to provide equality of opportunity to all applicants and to recruit on merit. All employees should be able to make a positive contribution to the delivery of the Council's objectives and actively support the values of the Council.

2.0 Scope

- 2.1 This procedure relates to the appointment of Senior Officers, namely Chief Executive and Head of Paid Service and Directors.

3.0 Equality and fairness

- 3.1 The Council, as an employer and service provider, takes its commitment to Equal Opportunities and Fairness very seriously. Employees should be aware that allegations of any form of discrimination will be investigated and this might result in formal disciplinary action, including dismissal, being taken.
- 3.2 Using this procedure to discriminate against or to harass, bully or victimise an employee of the Council or potential employee of the Council is also unacceptable. An allegation of this nature will also be investigated and this might result in formal disciplinary action, including dismissal, being taken.

4.0 Legislative background

- 4.1 The appointment to these positions is covered by the provisions of The Local Authorities (Standing Orders) (England) Regulations 2001 SI No. 3384. The Regulations provide that:
 - Members may only be involved in the appointment of senior officers.
 - Members will have the opportunity to raise objections to the decision about the appointments.
 - All appointments of staff below the level of Director should be conducted at officer level.
 - The appointment of the Head of Paid Service will require a decision by Full Council.

5.0 Appointment of the Recruitment and Selection Panel (the Panel)

- 5.1 When appointing a Senior Officer (as defined in paragraph 2.1) the Council should appoint a Panel of Elected Members.
- 5.2 The Panel should consist of five members chosen from the Finance and Management Committee together with the Chair or Vice Chair of the employing Committee. At least one member of the Panel should be a representative of the minority party to ensure political balance. The Panel will elect a Chair.

- 5.3 The Panel will be advised by the Head of Organisational Development throughout the recruitment and selection process. The Panel may also include appropriate Officers who will be asked for their comments before a decision is made but who will not have voting rights on any decision.
- 5.4 The authority to delegate the appointment to a Panel should be obtained from:
- Full Council for the Head of Paid Service. The appointment of the Head of Paid Service must then be approved by Full Council.
 - The Finance and Management Committee for a Director.
- 5.5 The report to Full Council, or Finance and Management Committee should seek approval for:
- Filling the vacancy.
 - The recruitment campaign to be used. The appropriate senior manager should liaise with Human Resources if the post is to be advertised.
 - The size and composition of the Panel (including political balance) and including the authority to make substitute arrangements if required.
 - Procedures for shortlisting (including dates of meetings).
 - The selection procedure, criteria and methods of assessment.
 - Procedures for making an appointment (including dates of meetings).
 - Establishing the convention for making appointments. This would normally be a majority vote of the members of the Panel. Officers would attend in an advisory capacity only.

Recruitment and Selection Panel - Responsibilities

- 5.6 The Panel should review, or if necessary agree a Job Description and Person Specification for the position.
- 5.7 The Panel should agree the recruitment campaign to be used.
- 5.8 A timetable for the recruitment process will be agreed. This should include dates for shortlisting applications, interview dates and, in the case of Head of Paid Service, the date when the recommendation for appointment will go before Full Council for approval.
- 5.9 Where a post has been advertised the Panel shall agree a shortlist of applicants based on the criteria outlined in the person specification and completed in line with the agreed timetable. The Panel, acting under delegated powers, should agree the final shortlist of candidates.
- 5.10 In relation to the appointment of the Head of Paid Service all Elected Members should be informed that the shortlisting has taken place and provided with an opportunity to view all shortlisted applications. Time will have been allocated for this within the previously agreed timescale.
- 5.11 When appointing a Director the other Members of the Finance and Management Committee should be informed that the shortlisting has taken place and provided with an opportunity to view all shortlisted applications. Time will have been allocated for this in the timetable for the recruitment process.

- 5.12 The Panel will have been delegated the responsibility for appointment. However any decision made regarding the appointment of a Head of Paid Service, has to be approved by Full Council.
- 5.13 Minutes of the meetings should be prepared and formally recorded in accordance with the Council's Constitution including noting whether an appointment has been made.
- 5.14 All meetings of the Panel should be arranged by Democratic Services.
- 5.15 The composition of the Panel and their responsibilities are summarised in Appendix A.

6.0 Process

Shortlist

- 6.1 The proposed shortlist of candidates will be produced by the Officers acting as advisors to the Panel. This will be completed in line with the Council's Recruitment and Selection Procedure. The proposed shortlist will be presented by the Officers to a meeting of the Panel for approval.

Invitation to Interview

- 6.2 The agreed list of candidates will then be invited to attend a selection process by the Head of Organisational Development along with confirmation of any tests that will be undertaken and, if appropriate, any supporting documentation that will be required. If the candidate is required to submit a report and/or prepare a presentation they should be informed of the subject matter at the time of invitation to interview.

Note - this may include informing candidates that progression to the second stage of the process will be dependent on their performance at the initial assessment centre.

Interview Questions

- 6.3 A structured interview format will be used at the second stage of the selection process. The appropriate Officers will propose a list of standard questions based on the competencies outlined in the person specification. These should be agreed ahead of the meeting but, by the very latest, on the first day of the selection process.
- 6.4 The Panel will decide who will ask questions during the interview. Any member of the Panel will be able to ask supplementary questions relevant to the main question, where appropriate. It is important to remember that consistency within each interview is required to ensure a fair assessment of all candidates.

Papers for the Panel

- 6.5 All members of the Panel will be provided with application forms and all associated papers for each of the candidates prior to the selection event. This will be provided by the Head of Organisational Development within the agreed timescales.

7.0 Selection Process - Day One - Assessment Centre

Presentation

- 7.1 Candidates will receive a presentation about the Council and the post. They will then be given the opportunity to ask questions. The presentation will be made by either:
- The Chair of the Panel, the Head of Organisational Development or an independent advisor (if appropriate) for an appointment to the post of Head of Paid Service.
 - The Head of Paid Service or Head of Organisational Development or independent advisor (if appropriate) for an appointment to the post of Director.

Selection exercises

- 7.2 Candidates for a senior post will take part in a range of exercises relevant to the post for which they have applied. These may include in-tray exercises, an observed group exercise, technical assessment and report writing.
- 7.3 Assessment of observed exercises will be lead by the Head of Paid Service and/or Director and the Head of Organisational Development whichever is appropriate. Any independent advisors may be included as observers, if required. Each exercise should be scored individually, using an agreed method and the results recorded.
- 7.4 The scores of all exercises will then be considered by the Panel, who will then determine the shortlist of candidates to progress forward to the second day.
- 7.5 Any Officers present will be asked for their views and comments, prior to the shortlist being agreed for the second day, but will not take part in decision making.
- 7.6 The Head of Paid Service or other nominated person will inform the shortlisted candidates and also those who have been unsuccessful on this occasion. The Head of Organisational Development should also be present.

8.0 Selection Process - Day Two - Formal Interview

- 8.1 Selected candidates will be interviewed separately by the Panel in accordance with the agreed framework.
- 8.2 The Panel may require each candidate, at the start of the interview, to make a presentation. This should have been requested in line with the agreed schedule and assessment criteria, and notified to the candidate ahead of the interview.
- 8.3 Each Member on the Panel will individually score each candidate's presentation and answers to questions that are asked using an agreed scoring method.
- 8.4 After all the candidates have been interviewed, the Officers on the Panel will be asked to give their comments on each candidate and their performance.
- 8.5 Members of the Panel will debate each candidate and the successful candidate will be determined on a majority decision. At this point, any available reference of the chosen candidate will be made known to the Panel. The salary and other terms and conditions of employment will also be decided by the Panel.

- 8.6 Following the selection of the successful candidate, and agreement of offer (including salary and terms and conditions) to be made, either the Chair of the Panel, or a nominated Officer will provisionally offer the successful candidate the post. This provisional offer should be in writing and explain that the offer is subject to approval by:
- Full Council when appointing to the post of Head of Paid Service
 - Finance and Management Committee when appointing a Director.
- 8.7 The Head of Organisational Development will notify the unsuccessful candidates separately.

Documentation checks

- 8.8 On the day of the interview the appropriate checks should be carried out for each interviewee. Application Forms should be signed by each interviewee and copies of required documents should be taken. The following checks should be carried out as appropriate:
- Possession of the appropriate qualification(s). This will depend on the job. The essential qualifications required should be stated on the Person Specification. A copy should be taken of each essential qualification required.
 - Evidence of membership of the appropriate professional body. This will depend on the job and will be stated on the Person Specification. A copy of the evidence should be taken if required.
 - Evidence that the individual is eligible to live and work in the UK (advice on the documentation that can be provided as evidence is on the Intranet). **This check will apply to all jobs.**
- 8.9 The copies of the documentation will be placed on the personal file of the successful candidate. The documentation obtained for the unsuccessful candidates will be securely stored and then destroyed in line with the Council's Document Retention Policy.

9.0 The Appointment

- 9.1 Before an appointment is confirmed, the following must be done.
- The Head of Paid Service or their representative will notify all Members of the Council (Head of Paid Service appointments only), or Members of the Finance and Management Committee (for the other appointments to a senior post) of the decision taken. These Members will be given a maximum of three working days in which to raise any objections to the decision taken.
- If no objections are raised, or the Chair of the Panel considers that they are not material or well founded, the appointment will continue as set out below.
- If an objection is considered to be material and well founded then this would be further discussed with the Panel and a decision will be taken on whether the appointment can continue.
- 9.2 The Head of Paid Service or another appropriate Officer will then liaise with Human Resources to issue the offer of appointment (contract documentation) following the necessary approval. The appointment will be subject to the following as appropriate:

- Satisfactory medical clearance.
- A satisfactory Disclosure and Barring check if appropriate.
- Satisfactory employment references.

9.3 The appointment will also be subject to a probationary period.

9.5 The Head of Organisational Development or another appropriate Officer will obtain available start dates from the successful candidate.

10.0 Induction

10.1 The induction will be conducted by an appropriate Officer and will follow the Council's induction programme.

10.2 It is expected that the appointee will meet with appropriate Elected Members and Senior Officers during the first week of their induction.

10.3 An initial work plan including development actions will be drafted for the appointee and monitored as part of their probation period. Any issues will be addressed as part of the review process.

11.0 Role of Human Resources

11.1 Human Resources will be responsible for:

- Confirming the administrative arrangements for the preparation and supply of application packs to prospective candidates.
- Arranging any assessment centre and organising the supply of occupational testing materials that may be required.
- Liaising with the Head of Paid Service or other appropriate Officer to issue the offer of appointment.
- Sending out appropriate notification to unsuccessful candidates and ensuring the secure handling and storage of all recruitment information.

11.2 The Head of Organisational Development and/or their representative will take part in the selection process as stated in this procedure.

12.0 Role of Head of Paid Service (or other delegated Officer)

12.1 The Head of Paid Service (or other delegated Officer) will be responsible for:

- Arranging all meetings of the recruiting Panel.
- Circulating all papers ahead of Panel meetings in accordance with the agreed timescales.
- Formally recording the decision taken by the Panel.
- Arranging and booking appropriate venues for the assessment centre and interviews.
- The provision of refreshments, including food, as required.
- Ensuring that the appropriate correspondence is issued to applicants\interviewees and the successful candidate during the recruitment and selection process.

13.0 Review of procedure

13.1 The procedure can be reviewed at any time by the Council.

Senior Officer Recruitment and Selection Procedure

Post	Panel Members	Provisional offer made by	Appointment must be approved by
Head of Paid Service	Members from the Council Head of Organisational Development Independent support if appropriate	Chair of Panel or their representative	Full Council
Director	Members from Finance & Management Committee Chair of appropriate Committee. Head of Paid Service Head of Organisational Development	Chair of Panel or their representative	Finance & Management Committee

Protocol for Member/ Employee relations

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Version Control

Printed documents are uncontrolled. This document is only valid on the day it was printed.

Version	Description of Version	Effective Date
1.0	Protocol for Member/Employee Relations	15 th November 2010
1.1	Protocol for Member/Employee Relations	21 st January 2016
2.0	General update	20 th August 2018

Approvals

Approved by	Date
Joint Negotiating Group	15 th November 2010
Full Council	21 st January 2016

Associated documentation

Description of Documentation	
Employee Code of Conduct	Member Code of Conduct

1 Underlying Principles

- 1.1 The principles underlying this Protocol are as follows:
- 1.2 There shall be mutual courtesy and respect between Members and Employees with regard to their respective roles set out below.
- 1.3 Members and Employees shall each carry out their respective duties in the best interests of the Council.
- 1.4 This Protocol applies to all dealings between Members and Employees and not just in formal meetings.

2 The Role of Members

- 2.1 These include the following:-
 - 2.1.1 Develop and set policies that will then be implemented by the Employees.
 - 2.1.2 Monitor how those policies are being implemented.
 - 2.1.3 Provide guidance to the Employees on how those policies are to be implemented either if Members wish to do so or if Employees ask for guidance.
 - 2.1.4 Represent the views of their communities and ward constituents, and deal with individual casework.
 - 2.1.5 Understand the statutory roles of the Chief Executive as Head of Paid Service, the Strategic Director (Corporate Resources) as Section 151 Officer, the Legal and Democratic Services Manager as the Monitoring Officer, and the significance attached to their advice.
 - 2.1.6 Consult with the communities they represent on the development of policy, national and other local initiatives.
 - 2.1.7 Consult with the Monitoring Officer and the Strategic Director (Corporate Resources) about vires, maladministration, financial impropriety and probity. Also where they have any doubt as to whether the particular decisions were, or are likely to be, contrary to the policy framework, or contrary to, or not wholly in accordance with the budget.
 - 2.1.8 Respect Employees' political impartiality.
 - 2.1.9 Promote the highest standards of conduct and ethics.
- 2.2 Members must not insist that any Employee
 - 2.2.1 Change his or her professional advice (subject to para. 3.1.7)
 - 2.2.2 Take any action, or not take action that the Employee considers unlawful or illegal, or which would be likely to amount to maladministration.

3 The Role of Employees

- 3.1 Employees:
 - 3.1.1 Should implement the policies set by Members.

- 3.1.2 Will ask for guidance on implementation of the policies set by Members if they are unclear about any aspect of those policies.
 - 3.1.3 Give such professional advice to Members as may be required of them from time to time.
 - 3.1.4 Carry out their delegated functions to the best of their ability and in the interests of the Council.
 - 3.1.5 Must remember that he or she is employed by South Derbyshire District Council as a whole and not by any particular part of the Council.
 - 3.1.6 Are under a duty to help all Members and all parts of the Authority equally.
 - 3.1.7 Should take all relevant matters into account when formulating advice to Members.
 - 3.1.8 Will provide training and development to Members as may be required of them from time to time.
 - 3.1.9 Will respond to queries raised by Members in a timely manner.
- 3.2 Employees must not:
- 3.2.1 Set policy other than for the smooth running of office procedures and processes and as may have been delegated under the Council's Constitution and Scheme of Delegations.
 - 3.2.2 Take any action, or not take action, which would be unlawful or illegal or which would be likely to amount to maladministration.

4 Relationship Between Members and Employees

- 4.1 The relationship between Employees and Members should be characterised by mutual respect, which is essential to good local government.
- 4.2 Close personal familiarity between individual Members and Employees can damage professional relationships and prove embarrassing to other Members and Employees. Situations should be avoided that could give rise to suspicion and any appearance of improper conduct. This includes excessive socialising between Members and Employees.
- 4.3 Any close personal or family relationships (e.g. parent/child; spouse/partner) between Employees and Members should be disclosed to the Chief Executive who will then decide how far this needs to be disclosed to others.
- 4.4 Members should not raise matters relating to the conduct or capability of Employees either individually or collectively at meetings held in public / or in the Press. Employees have no means of responding to criticism like this in public. If Members feel they have not been treated with proper respect, courtesy or have any concern about the conduct or capability of an Employee they should raise the matter with the Chief Officer of the directorate concerned.

5 Relationship Between the Leader, Chair of the Council, Members and Employees

- 5.1 The Leader, Chair of the Council and Committee Chairs shall be bound by the same provisions set out in paragraph 2 when acting as Leader/Chair of the Council or Committee Chairs, as they would be when acting as a Council Member.

6 Relationship Between the Chairs of Scrutiny Committees, Members of Scrutiny Committees and Employees

6.1 The Chairs and Members of the Council's Scrutiny Committees and related bodies shall:

- 6.1.1 Seek the advice of the Monitoring Officer where they consider there is doubt about the vires for a decision; or the Monitoring Officer and other appropriate Employees where they consider a decision of a Committee might be contrary to the policy framework.
- 6.1.2 When considering calling Employees to give evidence the Scrutiny Committees shall not normally, without the consent of the relevant Chief Officer, request the attendance of a junior Employee, to ensure that more junior Employees are not put under undue pressure.
- 6.1.3 When asking Employees to give evidence confine questions, so far as possible, to questions of fact and explanation relating to policies and decisions. Employees may be asked to give a professional opinion, but Employees may not be expected to give a political view.
- 6.1.4 Where they consider it appropriate, ask Employees to explain and justify advice given to Members prior to decisions being taken and justify decisions they themselves have taken under the Council's Constitution and their responses to consultations under the Scheme of Delegations.
- 6.1.5 Not to question Employees in such a way as to either be in breach of the Council's Whistleblowing policy and procedure in relation to harassment, or deal with matters which are of a disciplinary nature.
- 6.1.6 At all times respect the political impartiality of the Employees.

7 Relationship Between the Chairs and Members of Other Committees and Employees

- 7.1 This shall apply to all the Council's Policy Committees & Joint Committees, plus Planning Committee, Licensing and Appeals Committee, Standards Committee, and Area Meetings; and the Chairs and Members of those Committees shall:
- 7.1.1 Be bound by the same provisions set out in paragraph 2 when sitting as a Committee; and
 - 7.1.2 Give Employees the opportunity to present any report and give any advice they wish to present or give.

8 Employee Relationships With Party Groups

- 8.1 When dealing with the various party groups:
- 8.1.1 Any request for advice to a political group or Member will be treated with strict confidence by the Employees concerned and will not be accessible to any other political group.
 - 8.1.2 Employees shall exercise care when giving briefings or commenting on the policies and actions of any of the Council's Committees or panels and maintain political impartiality at all times.

8.2 When acting in party groups, and dealing with Employees, Members shall:

- 8.2.1 Recognise that attendance at Party Group meetings by Employees is not compulsory, but Party Groups may properly call upon Employees to support and contribute to such deliberations either by attendance or by preparing documentation for discussion by a group, subject to the availability of resources.
- 8.2.2 Recognise that Party Groups are not empowered to make decisions on behalf of the Council and that any conclusions reached by such groups should not be actioned by Employees.
- 8.2.3 Ensure they do not do anything that may compromise Employee impartiality.
- 8.2.4 Ensure that confidential matters are not divulged to non-councillors.

9 **Members in their Ward Role**

9.1 When acting in their ward role, Members:

- 9.1.1 Need to be mindful of their competing roles, i.e. acting for the Council and acting for constituents, and the possible conflicts of interest that can arise and the pressure this can bring on Employee time.
- 9.1.2 Recognise the Employees' right to suggest that senior Employees, the Council or a Committee/Scrutiny Committee should authorise additional work requested by individual Members.

10 **Member Access to Documents and Information**

- 10.1 Save as provided below every Member of a Committee, Scrutiny Committee and / or Regulatory Committee of the Council has a right to inspect documents about the business of that Committee, Scrutiny Committee or Regulatory Committee as set out in the Access to Information Procedure Rules included within the Council's Constitution.
- 10.2 A Member who is not a member of a specific Scrutiny Committee/Committee or Regulatory Committee may have access to any documents of that part of the Council if:
 - 10.2.1 He or she satisfies the Council's Monitoring Officer, that he or she reasonably needs to see the documents to perform his or her duties; and
 - 10.2.2 The document or papers or information do not contain 'confidential' or 'exempt information'.
- 10.3 A Member should seek advice from the Monitoring Officer in circumstances where he or she wishes to inspect any document or have access to any information about a matter.
 - 10.3.1 In which he or she has a personal or prejudicial interest; or
 - 10.3.2 Where to do so would be in breach of the Data Protection Act 2018.

11 **Non-Council Members on Council Bodies**

- 11.1 This applies to all those people who are not elected Members of the Council but who are Members (including Independent Members) of, or attend any of the Council's Committees or any other bodies.

- 11.2 This Protocol applies equally to such non-Council members on Council bodies, as it does to Council Members.

12 Press Releases

- 12.1 All Council press releases

12.1.1 Should be issued through the Council's Communications Team.

12.1.2 Should be concerned with matters of policy.

12.1.3 Should not contain anything of a political nature. In this respect regard must be given to the relevant legislation concerning publicity issued by the Council, especially around election time.

13 Correspondence

- 13.1 All correspondence written on behalf of the Council must be written on the relevant headed paper.
- 13.2 When Members are writing in their capacity as a Member they must make it clear whether they are writing on behalf of the Council or as the ward Member.
- 13.3 Correspondence between individual Members and Employees should be treated as confidential unless the Member or Employee indicates otherwise.
- 13.4 All correspondence should normally be open to the inspection of the public. This does not apply to correspondence written in connection with legal proceedings, contractual matters or any other matter where papers can remain 'exempt' within the meaning of Schedule 12A to the Local Government Act 1972, as amended, or if this would be in conflict with the Data Protection Act 2018.

14 Breach of the Protocol

- 14.1 Complaints against Members which amount to an alleged breach of the Council's Code of Conduct for Members must be referred to the Monitoring Officer. Standards Board for England by the appropriate complainant.
- 14.2 Complaints of a breach of this Protocol by a Member may be referred to the relevant Leader and/or Chief Whip of the relevant Political Group or the Monitoring Officer, who may consult with the Chair of Standards Committee if appropriate.
- 14.3 Complaints of a breach of this Protocol by an Employee may be referred to the relevant Director, the Chief Executive or the Monitoring Officer.

15 Further Advice

- 15.1 Any particular cases of difficulty or uncertainty under the Protocol should be raised either with the Chief Executive of the Monitoring Officer who will advise how to proceed.

Employee Code of Conduct

Human Resources
August 2018

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Version Control

Version	Description of version	Effective Date
1.0	Employee Code of Conduct	15 th November 2010
2.0	Employee Code of Conduct - General review	1 st January 2013
3.0	Reviewed - restructure and inclusion of Social Media Policy	1 st May 2013
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Approvals

Approved by	Date
Joint Negotiating Group	06/12/12 (V2)
Joint Consultative Committee (if applicable)	n/a
Finance & Management Committee	

Associated Documentation

Description of Documentation	
Member/Employee Protocol	Equality and Fairness Scheme
"Whistleblowing" (Policy and Procedure)	Constitution
Harassment Policy and Procedure	Electronic Communication and Security Policy
Recruitment and Selection Policy and Procedure	

1.0 Introduction and Scope

- 1.1 The purpose of the Employee Code of Conduct (the Code) is to supplement an employee's terms and conditions of employment and to clarify the standards of conduct and behaviours expected as a Local Government employee. The Code draws together policies of the Council and relevant legislation and aims to assist employees to perform their duties to the best of their abilities.
- 1.2 Employees are required to familiarise themselves with the Code and the documents it refers to. It cannot cover every eventuality. If employees are in any doubt as to whether they might breach the Code they should consult their manager.
- 1.3 The Code applies to all employees of the Council and casual workers.
- 1.4 A breach of the Code may lead to disciplinary action (including dismissal). Additionally, where appropriate a breach of the Code may be pursued through the processes of the Law.
- 1.5 The Code has been agreed with the recognised Trade Unions.

2.0 Standards

- 2.1 Local government employees are expected to give the highest possible standard of service to the public. An employee must:
 - Perform their duties with honesty, integrity, impartiality and objectivity.
 - Never use their authority or position for personal gain or to enable colleagues or anyone else to gain personally.
- 2.2 Employees are expected, where it is part of their duties, to provide appropriate and timely advice to Elected Members (see the Member/Employee Protocol on the intranet), other employees and representatives from partner organisations with impartiality.
- 2.3 Employees are expected to behave in a professional and respectable manner whilst performing their duties. Any behaviour that is found to be unacceptable will be subject to disciplinary action.
- 2.4 It is important that employees understand that perception is important. The public has the right to expect the highest levels of integrity and accountability from employees. Employees should always provide services and perform their duties to the highest possible standards. Actions by employees which would lead to loss of confidence through perception are as important as any others.
- 2.5 Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of any service. An example would be a disclosure under the Whistleblowing Policy and Procedure.

3.0 Accountability

- 3.1 An employee must be accountable to the Council for their actions.
- 3.2 During the course of their work employees should at all times be aware of and comply with:

- Relevant legislation.
- Their terms and conditions of employment. These include local policies, procedures and rules/regulations set by the Council corporately or within service areas. Local policies etc. take into consideration legislation and best practice and they have been developed to help employees to perform their duties to the required standard.
- Any professional code or standards of practice that apply if the employee is a member, for example, of a professional institute or body.

4.0 Disclosure and Confidentiality of Information

- 4.1 The law requires that certain types of information must be available to Elected Members, auditors, government departments, service users and the public. Under the Local Government Act 1972, Freedom of Information Act 2000 and the Localism Act 2011 the public have a right to see certain information. In most circumstances these rights are related to committee reports and background information. Obstruction of a member of the public who wishes to exercise these rights is a criminal offence. Employees must be aware of which information is and is not confidential and act accordingly. Advice is available from Legal and Democratic Services.
- 4.2 The public are specifically excluded from certain proceedings of Committees or meetings associated with the business of any Committee. No employee shall communicate to the public the content of such proceedings or any document relating to the Council unless required by law or expressly authorised by the Chief Executive to do so. Employees making unauthorised communications will be liable to disciplinary action.
- 4.3 Employees should exercise caution and care not to disclose commercially sensitive information. If in doubt employees should obtain guidance from their manager or the Monitoring Officer.
- 4.4 Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.
- 4.5 Any particular information received by an employee from an Elected Member, which is personal to that Elected Member and does not belong to the Council should not be divulged by the employee without the approval of that Elected Member, except where such disclosure is required or sanctioned by Law.
- 4.6 Employees will, in the course of their employment become aware of personal or other confidential information, some of which may fall within the scope of the Data Protection Act 2018. The Council requires that the confidentiality of this information will be maintained.

5.0 Political Neutrality and Activity

- 5.1 All employees must not allow their personal or political opinions to interfere with their work for the Council.
- 5.2 Employees serve the Council as a whole. It follows, therefore, that they must serve all Elected Members equally, not just the Elected Members of any controlling group. Employees must ensure that the individual rights of all Elected Members are respected. The

Member / Employee Protocol outline clearly the expectations placed on employees concerning their working relationship with Elected Members.

- 5.3 Some employees are required, subject to the Council's conventions, to advise political groups. They must do so in a way that does not compromise their own political neutrality.
- 5.4 Some employees are in politically restricted posts and by law are prevented from taking part in certain political activities outside of work. The Council must inform employees in writing if their post is politically restricted. Such restrictions are deemed to be incorporated in their contract of employment. If an employee is in any doubt whether any political activity is restricted under the law they should contact the Monitoring Officer. Any breach of the statutory rules will be a breach of contract and will lead to disciplinary action.
- 5.5 Employees in non- politically restricted posts should discuss, in advance, any political activity they intend to participate in with their manager in case there may be a conflict with the Council's interests.

6.0 Relationships

Elected Members

- 6.1 Some employees are required to give advice to Elected Members as part of their job. Mutual respect between employees and Elected Members is essential to good local government. Close personal familiarity between employees and individual Elected Members can damage the relationship and prove embarrassing to other employees and Elected Members and should therefore be avoided.
- 6.2 Information about the roles of Elected Members and employees and the expected relationship between them is in the Member/Employee Protocol, which is on the Intranet.

Employees

- 6.3 The Council wishes to create an environment where all its employees are treated with dignity and respect. The Council, therefore, has procedures in place to deal with harassment, victimisation and bullying. The Council's Harassment Procedure is on the Intranet.

The Local Community and Service Users

- 6.4 Employees must always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within the community in accordance with Council policies. No part of the community should be discriminated against.

Contractors

- 6.5 Employees with a relationship with a business or private nature with contractors or potential contractors must be made known to the appropriate manager. Orders, contracts etc. must be awarded on merit, through fair competition and no favouritism should be shown to businesses run by, for example, relatives, partners or friends. This list is illustrative and not exhaustive and advice is available from Legal and Democratic Services. No part of the community should be discriminated against.
- 6.6 Employees, who engage or supervise contractors or have an official or personal relationship with contractors and have previously had or currently have any form relationship in a private or domestic capacity with a contractor who is engaged or who is proposed to be engaged by

the Council, must declare that relationship to their manager as soon as practicable. Employees are also required to declare and record such an “interest” in the “Interests of Employees Book” kept in Legal and Democratic Services.

The Press and the Media

- 6.7 Employees must not deal directly with the press or the media unless required to do so in the course of their work or they have been expressly authorised by an appropriate manager.
- 6.8 All enquiries for information or comment on issues affecting the work of the Council must be referred to the Communications team.
- 6.9 Any article, publication or interview given on aspects of Council policy or activity must be properly authorised.

7.0 Appointments and other employment matters

- 7.1 Employees involved in appointments must ensure that they are made on the basis of merit. It would be unlawful for an employee to make an appointment, which was based on anything other than the ability of the candidate to undertake the duties of the post. This principle is included in the Council's Recruitment and Selection Policy and Procedure, which is on the Intranet.
- 7.2 In order to avoid any possible accusation of bias, employees must not be involved in an appointment where they are related to an applicant, or have a personal relationship outside work with them.
- 7.3 In respect of any attempts to be canvassed, employees who are approached in this way must report the matter to their manager or to the Monitoring Officer immediately.
- 7.4 Similarly, employees must not be involved in decisions relating to discipline promotion or pay adjustments for any other employee who is a relative, partner or close friend.

8.0 Outside Commitments

- 8.1 An employee's life away from work is their personal concern. However, an employee must not put their private interests ahead of their contracted work or put themselves in a position where the Council's and their private interests conflict. Employees should check with their manager if they are in any doubt.
- 8.2 The Council would not wish to unreasonably prevent employees from undertaking additional employment (either paid or unpaid) providing it does not:
 - Conflict or detrimentally affect the Council's interests.
 - In any way weakens public confidence in the conduct of the Council's business.
 - In any way affects an employee's performance of their duties and responsibilities whilst they are working for the Council.
 - In any way could impact on the reputation of the Council.
- 8.3 An employee should not use their job within the Council to confer advantage to any private interest that they have for personal gain.
- 8.4 Employees must be made aware that no outside work of any sort should be undertaken in the workplace. Additionally the use of Council facilities, for example telephones and photocopying for this, for any outside work is forbidden.

- 8.5 If in any doubt, employees should speak to their manager about their outside interests or activities.

9.0 Personal Interests

- 9.1 Employees must declare to their manager or to the Chief Executive (whichever is appropriate) any financial interests they have which could conflict with the Council's interests.
- 9.2 Employees must declare to their manager or to the Chief Executive, any non-financial interests that they consider could bring about conflict with the Council's interests. Examples would be involvement with an organisation receiving grant aid from the Council, involvement with a voluntary organisation or involvement with an organisation or pressure group, which may seek to influence the Council's policies.
- 9.3 Employees who have an interest, financial or non-financial, should not involve themselves in any decision on allocation of Council's services or resources from which they, their friends, family or any organisation they are involved with might benefit.
- 9.4 Employees who have such interests should make a declaration in the "Interests of Employees Book" held in Legal and Democratic Services.
- 9.5 Appendix 'A' to this procedure provides employees with a checklist of questions to consider when deciding if they need to declare an interest.

10.0 Alcohol and Drugs

- 10.1 The consumption of alcohol is not permitted on Council premises or whilst an employee is on official duty unless authorised.
- 10.2 The Council prohibits the use, possession, distribution or sale of drugs at the workplace or when conducting Council business.
- 10.3 The Council's policy on Alcohol and Drugs is on the Intranet.

11.0 Criminal Charges

- 11.1 An employee should not put himself or herself in a position where their behaviour and their job or the Council's interests conflict. This includes behaviour, which, because of the nature of their employment would undermine the Council's confidence or trust in the employee.
- 11.2 An example of such behaviour relates to Council employees facing criminal charges, The Council requires all employees to notify their manager **without delay** of any criminal investigation, charge or caution imposed upon them. This requirement applies to charges incurred on or off duty.

12.0 Equality and Fairness

- 12.1 Employees have an obligation to ensure that policies relating to equality issues as agreed by the Council are complied with, as well, of course, as the requirements of the law. All

members of the local community, customers and other employees have the right to be treated with fairness and equity.

12.2 Such policies would include the Council's Equalities Policy Statement and the Harassment Procedure.

12.3 The bullying, harassment or victimisation by an employee of the Council of another employee, client or a member of the public will be treated as misconduct.

13.0 Separation of roles during tendering

13.1 Employees should be clear on the separation of client and contractor roles within the Council. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

13.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

13.3 Employees who have access to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.

13.4 Employees must ensure that no special favour is shown to current or former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

13.5 Any employee who has any direct connection with any company, contractor or tenderer either personally, or through any immediate relative or through any close personal friendship, should disclose this to their manager and enter it in the "Interests of Employees Book" in Legal and Democratic Services prior to any involvement in the tendering or contract process. Please refer to checklist at Annexe A, for guidance on questions to ask yourself when deciding if to declare an interest.

14.0 Corruption

14.1 The Bribery Act 2010 (The Act) makes it a criminal offence to:

- Give a bribe in order to induce or reward an individual for the improper performance of a relevant function or activity.
- Request or agree to receive a bribe for the improper performance of a relevant function or activity.

14.2 The Act also provides a corporate offence of failing to prevent bribery.

14.3 It is a criminal offence for an employee to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in their official capacity.

14.4 Employees should politely decline any gift, loan, fee, reward or advantage to any person attempting to use this for personal or commercial gain. An employee must declare any such occurrence to their manager or Monitoring Officer immediately. The employee should state the nature of the occurrence, who provided the gift etc. and when.

15.0 Use of Financial and Other Resources

15.1 An employee must:

- Use any public funds entrusted to or handled by themselves in a responsible and lawful manner.
- Not make personal use of property or facilities of the Council unless properly authorised to do so.

Public Funds

- 15.2 The public has every right to expect the highest standards of honesty and stewardship of public money. Employees must ensure that they use public funds entrusted by them in a responsible and lawful manner ensuring value for money to the local community and avoiding legal challenge to the Council.
- 15.3 The Council has a Constitution, which includes Financial Regulations, Financial Procedure Rules and Contract Procedure Rules. These define the Council's rules to ensure sound financial management. The Constitution is on the Intranet.
- 15.4 A departure from these high standards will be treated as a most serious matter, both under the disciplinary procedure and where appropriate through the processes of law.

Care and Use of the Council's Resources

- 15.5 The Council's resources, whether tangible assets (e.g. materials, equipment and cash) or business information (e.g. trade secrets) may not be used other than for the proper advancement of the business of the Council.
- 15.6 All equipment belonging to the Council should be treated with due care and respect. Any employee wishing to use an item of Council equipment (e.g. printer) for business other than that of the Council must obtain permission from their manager in advance.

Patent

- 15.7 Any matter, item or idea capable of being patented under the Patents Act, which is developed or discovered by an employee, alone or together with colleagues, in the course of their duties, must be disclosed to their manager and subject to the provisions of the Patents Act belongs to the Council.
- 15.8 It is the responsibility of the Council in the first instance to decide whether to apply for patent or other protection in law for any invention, which belongs to the Council by virtue of the Patents Act.

Copyright

- 15.9 All records, documents and other papers relating to the finance and administration of the Council and which are compiled or acquired by an employee in the course of their employment are and will remain the property of the Council.

16.0 Security and Use of Computer Data/Equipment and Electronic Communications

- 16.1 Employees are required to comply with the Council's Electronic Communications and Security Policy and the associated guidelines on the use of electronic communications, such as telephones, tablets, smartphones, e-mails, the Intranet and the Internet. It is part of your conditions of employment and it is, therefore, important that you read and consider this policy and the guidelines carefully. If you are unsure or fail to understand any part of it, it is your responsibility to ask your manager/supervisor to explain.
- 16.2 The Policy is on the Intranet and includes information/guidance on:
- Applicable legislation (e.g. Data Protection Act 2018, Deformation Act 1996, the Computer Misuse Act 1990 etc.).
 - Employee responsibilities with regard to the use of the Council's IT systems etc.
 - How and why the Council monitors electronic communications.
 - What the Council considers unacceptable use of its IT systems etc.
 - Guidelines on the use of emails, telecommunications equipment and the Internet/Intranet.
 - Security (e.g. password protection, file security)
 - Sending restricted/confidential information.

This is not an exhaustive list and employees should read the full policy.

- 16.3 Employees have a duty of care relating to any equipment that they are given to use for Council business e.g. telephones, tablets, smartphones, laptop or memory stick. The equipment should not be used in any way that would lead to it being damaged.

17.0 Use of Social Media

- 17.1 The Council has a Social Media Policy, which is on the Intranet. The objectives of this policy are to ensure:
- Engagement with individuals and communities and the successful promotion of Council-based services through the use of social media.
 - A consistent and corporate approach is adopted and maintained in the use of social media.
 - That Council information remains secure and is not compromised through the use of social media.
 - That users operate within existing policies, guidelines and relevant legislation.
 - That the Council's reputation is not damaged or adversely affected.
- 17.2 The policy includes rules on the use of social media as part of an employee's duties and guidance using of social media in a personal capacity to help protect the employee and the Council.
- 17.3 Alleged breaches of the Social Media Policy may lead to disciplinary action (including dismissal).

18.0 Gifts and Hospitality

Gifts

- 18.1 There can be little doubt that the acceptance of gifts by employees from persons who have or may seek to have dealings with the Council would be viewed by the public with suspicion and would make the employee concerned and the Council extremely vulnerable to criticism.
- 18.2 An employee should politely refuse any personal gift which is offered to her/him or a close relative by or indirectly attributable to any person or organisation who:
- Has or may have dealings of any kind whatsoever with the Council.
 - Has applied or may apply to the Council for any kind of decision.
- 18.3 The only exceptions to the above are:
- Small gifts of only token value often given by way of trade advertisements to a wide range of people (e.g. calendars, diaries, pens and similar articles of use in the workplace).
 - Small gifts of only token value given on the conclusion of a courtesy visit e.g. to a factory or trade fair.
- 18.4 In the event of an employee receiving a gift without warning, which does not fall into any of the exceptions mentioned above, this should be reported to the Monitoring Officer as soon as practicable who will be responsible for deciding whether the gift should be returned.
- 18.5 If there is any doubt about whether a gift may be accepted the gift should be politely refused.
- 18.6 It is contrary to the terms of an employee's contract for them to accept any fee or reward other than their proper remuneration
- 18.7 If any employee becomes aware that she/he has been included as the beneficiary in the Will of a client, for whom the Council offers or used to offer a service where there is a connection with the employee's work the above rules apply.

Hospitality

- 18.8 Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the Council in the local community. Offers to attend purely social or sporting functions should be accepted only when these are the part of the life of the community or where the Council should be seen to be represented. It should be properly authorised and recorded in the Corporate Hospitality Register, which is kept in Legal and Democratic Services.
- 18.9 When hospitality has to be declined the person making the offer should be courteously and politely informed of the procedures and standards operating within the Council.
- 18.10 When considering whether or not to accept any hospitality employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality. For example an employee must never accept hospitality from a contractor who is tendering for the provision of a Council service.
- 18.11 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where:

- It is clear the hospitality is corporate rather than personal.
- The Council gives consent in advance.
- The Council is satisfied that any purchasing decisions are not compromised.

Where visits to inspect equipment etc. are required employees should ensure that the Council meets the costs of such visits to avoid jeopardising the integrity of any subsequent purchasing decisions.

- 18.12 Employees must refuse offers of hospitality where any suggestion of improper influence would be inferred. Special caution is necessary where hospitality is offered by a person or body having or seeking business with or a decision from the Council particularly where the offer is to an individual employee.
- 18.13 Hospitality should only be accepted where it is on a scale appropriate to the circumstances, reasonably incidental to the occasion and not extravagant and where it is apparent that no cause could reasonably arise for adverse criticism about the acceptance of hospitality.
- 18.14 All offers of hospitality must be declared to the appropriate manager or to the Monitoring Officer and must be entered in the Employees Hospitality Book held in Legal and Democratic Services. Nothing must be accepted without the authorisation of the manager or Monitoring Officer. IF IN DOUBT - DECLARE!

Guidance

- 18.15 Guidance relating to gifts and hospitality can be found in Appendix 'B'.

19.0 Sponsorship – Giving and Receiving

- 19.1 Where an outside organisation wishes to sponsor or is sought to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 19.2 Where the Council wishes to sponsor an event or service, neither an employee nor any partner, spouse, or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest and declaration in the "Interests of Employees Book" held in Legal and Democratic Services. Similarly, where the Council, through sponsorship, grant aid, financial or other means, gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest involved.

20.0 Review of Employee Code of Conduct

- 20.1 The Employee Code of Conduct may be reviewed at any time in consultation with the recognised Trade Unions.

Appendix A

Types of interest to consider whether to make declaration

Introduction

These notes and checklist are a useful guide for employees in dealing with any matters relating to Declaration of Interests

- **Relatives / friends will benefit or are involved in any way** - Relatives includes your parents, parents-in-law, step-parents, husband, wife or partner, son, daughter, step-son, step-daughter, child of a partner, brother, sister, brother-in-law or sister-in-law. Partner means any person with whom you co-habit as partner. This list is illustrative and not exhaustive and advice is available from Legal and Democratic Services.
- **Employment** - Consider any paid employment (other than your employment with the authority) and any firm of which you are a partner. Also any paid employment of any member of your family, and of any firm in which a member of your family is a partner. This relates also to the receipt of shares or dividends from any company that is providing services for or is looking to provide services for the Council.
- **Membership of another local authority** - Consider if you or your immediate family, are elected or co-opted members of any other local authority.
- **Other public authorities** - Consider if you or a member of your immediate family is in a position of general control or management of another public authority, such as a NHS body?
- **Land** - Consider any land in the area of the authority, which is owned or occupied by you or by a member of your family. Ownership of land includes ownership of an option to buy land.
- **Membership of local companies** - Any company which owns land or has a place of business within the area of the authority, and in which you or your immediate family owns any shares or securities with a nominal value of £25,000 or more.
- **Contracts** - Any contract of goods, services or works made between the authority and yourself, a member of your family or a company or firm of which you have entered details above.
- **Outside bodies** - Anybody or organisation to which the authority has appointed you.
- **Trade Unions and professional associations** - Any Trade Union or professional association of which you are a member and any position, which you hold within that Trade Union or organisation.
- **Lobbying organisations** - Anybody whose principal purposes include the influence of public opinion or policy, of which you are a member.
- **Charities** - Any charity or body directed to a charitable purpose of which you are a member and which could benefit from assistance from the Council or may give rise to a conflict with the proper performance of any of your duties in this job.
- **Other interests** - Any other private interest, which you have, which you consider is likely to give rise to a conflict with the proper performance of any of your duties in this job.

Appendix B

Guidance on Gifts & Hospitality and whether to make a declaration

Introduction

These notes and checklist are a useful guide for employees in dealing with any matters relating to Gifts or Hospitality. All the principles set out in this article apply equally to gifts and hospitality given to close members of an employee's family.

Gifts

The acceptance of gifts is a dangerous practice. As a general rule employees should politely refuse offers of gifts from organisations or persons who do, or might, provide work, goods or services to the Council, or who need some decision from the Council (e.g. planning application).

Modest gifts of a promotional nature are generally considered to be acceptable (e.g. calendars, diaries, articles for office use, or a small gift offered during a courtesy visit to a firm). What constitutes a modest gift is a matter of judgement.

Hospitality

When to accept hospitality is very much a matter of judgement given the particular circumstances. It would be wrong to produce an atmosphere in which employees refused all invitations to socialise with persons or bodies that have, or may seek to have in the future business dealings with the Council.

The extent of the hospitality will be a factor as to its acceptability. It may be more reasonable to accept hospitality offered to a group than to accept something unique to yourself. Contacts established at a social level can often be helpful in pursuing the Council's interests. What is important is to avoid any suggestion of improper influence.

When a particular person or body has a matter, which is currently an issue with a local authority, then common sense dictates that a more restrictive approach should be applied (e.g. negotiations with an outside organisation).

Gifts and Hospitality Checklist for Employees

It is suggested that, before accepting any gift or offer of hospitality, employees should ask themselves the following questions and ensure that they would be able to supply satisfactory answers if requested to do so at a later date.

1. Is the donor, or the event, significant in the community or in your Council's area?
2. Are you expected to attend because of your position in the authority or community?
3. Will the event be attended by others of similar standing in the authority/community or in other authorities/communities?
4. Do you have any contact in your job with the person or organisation providing the gift or hospitality?

5. Are there any special circumstances justifying accepting this gift / hospitality?
6. What is the motivation behind the invitation?
7. What is the market value or cost of the gift / hospitality?
8. Would acceptance of the invitation be, in any way, inappropriate or place you under pressure in relation to any current or future issue involving your Council?
9. Did you get consent of your line manager before accepting it?
10. Could you justify the decision to your Council, press and public?
11. Is the extent of the hospitality or the nature of the gift reasonable and appropriate?
12. How will you respond to the hospitality?
13. Are you comfortable with the decision?

Disciplinary Procedure for Head of Paid Service, Statutory Officers and Director Positions

Human Resources
January 2018

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Version Control

Version	Description of version	Effective Date
1.0	Senior Officer Dismissal Procedure	2 nd September 2004
2.0	Disciplinary Procedure for Head of Paid Service, Statutory Officers and Director positions – revised national guidance	January 2018

Approvals

Approved by	Date
Finance and Management Committee	2 nd Sept 2004

Associated Documentation

Description of Documentation
National Conditions of Service and guidance

1.0 Introduction

- 1.1 There are two procedures included in this document. Procedure One applies to the Council's Directors who are non-statutory officers. Procedure Two applies to the Head of Paid Service (Chief Executive) and the Council's statutory officers.
- 1.2 The principles of natural justice will govern the conduct of any proceedings commenced under these procedures. In general, informal conciliation is to be preferred if it can bring about a mutually agreed solution to the issue that has arisen.
- 1.3 These procedures:
- ❑ Specify who has the authority to take disciplinary action.
 - ❑ Ensure that action is not taken without an investigation being completed.
 - ❑ Provides a right of appeal.
 - ❑ Gives details of time scales associated with the different stages of the procedures.

2.0 Equal opportunities and fairness

- 2.1 These procedures must not be used to unfairly treat or discriminate against another person. An allegation of this nature will be investigated under the appropriate Disciplinary Procedure and may consequently lead to formal disciplinary action, including dismissal, being taken.

3.0 Scope

- 3.1 The procedures in this document relate to following posts:
- ❑ Head of Paid Service (Chief Executive)
 - ❑ Directors of the Council.
 - ❑ The Legal and Democratic Services Manager who is the Council's Monitoring Officer.

4.0 General Principles

- 4.1 The core principles of these procedures are:
- ❑ They provide a framework for disciplinary matters to be considered in a fair and consistent manner providing all parties involved to represent their case.
 - ❑ They promote prompt action when dealing with disciplinary matters.
 - ❑ An employee has the right to be accompanied/represented as appropriate by a Trade Union representative or another employee of the Council throughout the formal Disciplinary Procedure.
 - ❑ Any alleged misconduct is described clearly and in writing.
 - ❑ Any alleged misconduct (including alleged gross misconduct) will be properly investigated to determine whether a Disciplinary Hearing is required.
 - ❑ No formal disciplinary action is taken without there having been a properly constituted Disciplinary Hearing at which the employee is able to respond to the allegation against them.

- ❑ Any formal disciplinary action is reasonable in the circumstances. This includes not dismissing an employee for a first breach of conduct **unless** it is a case of proven gross misconduct. However, even in cases of gross misconduct, mitigating circumstances should always be taken into account when deciding any disciplinary action.
- ❑ An employee is given a written explanation when formal disciplinary action is taken and informed of the consequences of any further misconduct.
- ❑ An employee has a right of appeal against any formal disciplinary action taken against them.
- ❑ All information, whether verbal or written, is kept strictly confidential. Disciplinary action may result from any breach of confidentiality.
- ❑ Records of disciplinary matters are kept to help ensure consistency. This information is regarded as highly confidential and will be kept securely. Records of disciplinary action will be securely destroyed in line with the Council's Document Retention Policy and the time periods stated in the correspondence confirming the disciplinary sanction applied.

Informal conciliation

- 4.4 In general, informal conciliation is to be preferred to formal procedures wherever possible.

Training

- 4.5 All parties (e.g. Head of Paid Service, Elected Members etc.) involved in any disciplinary matter considered under the procedures in this document will receive appropriate training.

Gross misconduct

- 4.6 Gross misconduct is generally defined as misconduct serious enough to destroy the employment contract between the employer and employee and to make any future working relationship and mutual trust impossible. Examples of gross misconduct are in **Appendix A** (the list is not exhaustive).

5.0 Procedure One

Scope

- 5.1 This procedure applies to the Council's Directors with the exception of any that have designated statutory responsibility for either Section 151 Officer or Monitoring Officer. Procedure Two applies to all post with designated statutory responsibility either at Director Level or below.

Informal conciliation

- 5.2 Where appropriate, before resorting to the formal procedure, every reasonable effort should be made to address and resolve an issue of conduct by informal conciliation.

Appointment of Investigator and Preliminary Investigation

- 5.3 If the matter cannot be resolved informally, a preliminary investigation will take place to determine the grounds for any further action. This should be undertaken by the Head of Paid Service.
- 5.4 The officer may be suspended from duty (see paragraphs 5.13 to 5.17) either prior to any investigation commencing or during the investigation should information become available to indicate that suspension is appropriate.
- 5.5 An Investigator will be appointed at the discretion of the Head of Paid Service (Chief Executive). The Investigator should be
- ❑ Aware of the allegation(s) to be investigated.
 - ❑ Provided with access to sources of information and individuals identified as relevant to the issues under investigation.
 - ❑ Aware of timescales and be able to complete the investigation in these timescales.
- 5.6 After the preliminary investigation the officer must be notified in writing (**see template letter in the Toolkit**):
- ❑ Of the allegation(s) that are being investigated.
 - ❑ That they will have the opportunity to make representation on their own behalf during the investigation.
 - ❑ Whether they are to be suspended from duty.
 - ❑ Details of the Investigating Officer.
 - ❑ The timescales for completing the investigating
 - ❑ Points of contact to be used for raising any issues concerning the investigation.
- 5.7 The Investigator will interview the officer concerned. The officer must receive at least five working days' notice (or a longer period if reasonable in the circumstances) in writing of the requirement for them to attend the investigative interview. A shorter period of notice can be used if parties agree. The letter (**see template letter in the Toolkit**) should detail the allegation(s) under investigation and advise the officer of their right to be accompanied by a Trade Union representative or another employee of the Council.
- 5.8 The Investigator may inspect any documents or electronic records relating to the conduct of the officer which are in possession of the Council or which the Council has the power to authorise them to inspect.
- 5.9 The Investigator may require any employee of the Council to be interviewed and answer questions as part of the investigation.
- 5.10 The investigation should be concluded as soon as practicable and ideally within 20 working days (unless there are exceptional circumstances). All relevant parties will be informed of the need for additional time to complete the investigation.

5.11 The Investigator will make a report to the Head of Paid Service:

- ❑ Stating in their opinion as to whether (and if so the extent to which) the evidence they have obtained supports the allegation(s) of misconduct against the officer.
- ❑ Recommending any disciplinary action which they consider to be appropriate for the Council to take against the officer.

5.12 The Investigator will send a copy of this report to the officer at the time it is submitted to the Council.

Suspension

5.13 The officer may be suspended from duty either before or during any investigation:

- ❑ Where there is enough evidence to suggest that the matter may be one of gross misconduct.
- ❑ Where the officer's continued presence at work might compromise the investigation.
- ❑ Where the officer's continued presence may impair the efficient exercise of the function of the Council.

5.14 The Council, appropriate Committee or the Head of Paid Service (acting under delegated powers) may carry out the suspension.

5.15 The officer will be informed in writing (**see template letter in the Toolkit**) at the earliest opportunity of their suspension. It will be made clear to the officer that suspension is not a disciplinary penalty and that it will not prejudice any future Disciplinary Hearing. The officer should also be informed of:

- ❑ The reasons for the suspension.
- ❑ Who they may contact in the Council whilst they are suspended.
- ❑ That their suspension is on full pay.
- ❑ That the suspension should not last more than 20 working days subject to the completion of the investigation.

5.16 The necessity for the officer to remain suspended should be reviewed at regular intervals. Lengthy periods of suspension should be avoided where possible.

5.17 The Investigator may recommend that:

- ❑ The Council terminates any suspension of the officer.
- ❑ That any suspension must continue after the expiry of the 20 working days.

Financial matters

5.18 The Council's Section 151 Officer must be notified in the case of any allegation(s) or indications of financial irregularity.

No case to answer following a preliminary investigation

- 5.19 If, following the investigation, it is decided that the officer has no case to answer; they will be informed of this in writing (**see template letter in the Toolkit**). All records of the investigation will be annotated that this is the case.

Convening an Investigatory Panel

- 5.20 If it is considered that following an investigation that there is a case to answer at a Disciplinary Hearing, an Investigatory Panel will be convened by the Head of Paid Service. The officer will be notified in writing (**see template letter in the Toolkit**) that the Hearing is taking place. The officer must be given at least 10 working days' notice of the Hearing. The written notice should include:

- ❑ The date, time and location of the Hearing.
- ❑ The report completed by the Investigating Officer that will provide details of the allegation. Details of any witnesses that will be called by the Investigator.
- ❑ That the officer will have the opportunity to state their case and call and/or question any witnesses.
- ❑ The fact that the officer is entitled to be represented by a Trade Union representative or another employee at the Hearing.
- ❑ The fact that, depending on its findings, the Hearing could result in disciplinary action and (adding where appropriate) that this could include dismissal.
- ❑ The right to submit a written statement to the Investigatory Panel.

- 5.21 The Investigatory Panel will consist of at least three members chosen from the Finance and Management Committee. The Panel should reflect the political balance of the Council and will be advised by a representative from Human Resources and/or a representative of Legal and Democratic Services.

Postponement of the Disciplinary Hearing

- 5.22 The officer or the Council can request one postponement of the Disciplinary Hearing of up to 10 working days. A postponement may be granted in the following circumstances:

- ❑ Inability to attend owing to illness that must be supported by a Fit Note that includes the date of the Hearing.
- ❑ A request for additional time to obtain important information for their case.
- ❑ The unavailability of the officer's or the Council's representative.
- ❑ The unavailability of a key witness to the officer's or the Council's case.

Sickness absence during disciplinary proceedings

- 5.23 Disciplinary proceedings are difficult and stressful. It is, therefore, in everyone's interest that they are concluded without undue delay.

5.24 In some cases the officer may become absent from work during disciplinary proceedings and may be given a Fit Note certifying them unfit for work. However, it is also appropriate to complete the disciplinary proceedings at the earliest opportunity and they should be progressed as far as possible in the absence of the officer.

5.25 The following framework will be applied where disciplinary proceedings are affected by an officer's sickness absence:

1. It will be appropriate to contact the employee concerned to try and get their agreement to proceed with the disciplinary process. The officer should be encouraged to discuss matters with their Trade Union representative, colleague or a friend.
2. Following this it may be appropriate to refer the officer to Occupational Health.

The Occupational Health referral form should ask for advice on:

- ☐ Whether the officer's current health condition is linked to the disciplinary matter.
 - ☐ Whether the employee's health condition is likely to continue until the disciplinary matter is resolved.
 - ☐ Whether the conclusion of the disciplinary process is in the interest of the employee and will aid their recovery.
 - ☐ What action can be taken by either party to help to progress the disciplinary matter.
 - ☐ Whether the officer is fit to attend interviews etc. to help conclude the matter as soon as practicable.
 - ☐ Whether the officer is able to instruct a colleague or Trade Union representative to act on their behalf.
 - ☐ Whether the officer is able to provide written representation (e.g. answering set questions) on his or her own behalf.
3. The occupational health report will be discussed with the employee and their representative. A member of Human Resources will attend the meeting to act as advisor. It should be made clear at the meeting what action is being taken and formal notes will be taken.

5.26 The officer may be referred to Occupational Health on more than one occasion to obtain updated advice and to keep the situation under review.

5.27 If the decision having taken advice, were to proceed to a Disciplinary Hearing in the absence of the officer then the Council would need to prove that:

- ☐ Advice had been sought from Occupational Health.
- ☐ The officer had been given every opportunity to attend the Disciplinary Hearing.
- ☐ Other alternatives to attending the Disciplinary Hearing had been discussed with the employee and/or their Trade Union representative or other representative e.g. allowing and encouraging the employee to send a representative to attend the Disciplinary Hearing on their behalf or offering

the employee the opportunity to make written representation for consideration at the Disciplinary Hearing.

- 5.28 It is important in these matters to maintain regular contact with the employee and any Trade Union representative. On most occasions they will want to ensure that appropriate information and progress is made. It is not in the interests of any party to leave the matter incomplete for any period of time.
- 5.29 The Council is required to conclude disciplinary proceedings, including investigations and Hearings, within a reasonable period of time. The level of detail and seriousness of the allegation will normally dictate how long this period is, but at all times an indication will be given on the timescales for these to be completed. If the timescales need to be extended for any reason, all parties will be informed.

Exchange of information prior to the Disciplinary Hearing

- 5.30 Either party can submit information to be presented at the Disciplinary Hearing. They are responsible for providing this information to the appropriate officer to enable it to be exchanged by no later than 5 working days' prior to the Disciplinary Hearing.

Conduct of the Disciplinary Hearing

- 5.31 The framework for conducting the Disciplinary Hearing is in **Appendix B**.
- 5.32 The officer is entitled to be represented at the Hearing by a Trade Union representative or another employee of the Council.
- 5.33 The Investigatory Panel's decision will normally be given to the officer verbally at the Hearing. The decision will then be confirmed in writing to the officer within 5 working days' of the Disciplinary Hearing.

Possible outcomes of a Disciplinary Hearing

- 5.34 The Investigatory Panel may:
- Exonerate the officer. (In this case all records of the disciplinary proceedings should be destroyed) Or
 - Recommend an informal resolution Or
 - State their opinion as to whether (and if so the extent to which) the evidence they have obtained supports any allegation of misconduct against the officer.
 - Determine the disciplinary action (if any) which appears reasonable in the circumstances.

The disciplinary action that can be taken is detailed in paragraph 5.35

Disciplinary Hearing - disciplinary action

- 5.35 If following an investigation and Disciplinary Hearing it is considered that formal disciplinary action is required the following options are available:

Recorded oral warning –If the conduct concerned is unacceptable but not serious in nature a recorded oral warning will normally be appropriate.

❑ **Written warning**

If the misconduct is too serious for a recorded oral warning or if there is further misconduct while a recorded oral warning is still in force the Panel may give the officer a written warning.

❑ **Final written warning**

If the offence is too serious for a written warning but not serious enough to warrant dismissal, or if there is further misconduct while a previous written warning is in force, the Panel may give the officer a final written warning. The officer must be informed that any further breach of conduct may result in dismissal.

❑ **Dismissal without notice**

If the Panel is satisfied that gross misconduct has occurred, it may recommend that the officer be dismissed without notice or pay in lieu of notice. It should be made clear that the recommendation is subject to the approval of the Finance and Management Committee. The chair of the Panel will confirm the recommended dismissal to the officer in writing (**see template letter**), as soon as practicable after the Hearing.

❑ **Dismissal with notice**

If the Panel is satisfied that misconduct has occurred and a final written warning is still in force it may recommend that the officer be dismissed with notice on full pay. It should be made clear that the recommendation is subject to the approval of the Finance and Management Committee. The chair of the Panel will confirm the recommended dismissal to the officer in writing (**see template letter**), as soon as practicable after the Hearing.

- 5.36 An employee may not be dismissed for a first breach of discipline **except in the event of gross misconduct**.
- 5.37 The Investigatory Panel's decision will normally be given to the officer verbally at the Disciplinary Hearing. The decision will then be confirmed in writing (**see template letter**) to the officer within 5 working days' of the Hearing. In the case of a recommendation to dismiss the process in paragraphs 5.39 to 5.45 should be followed.
- 5.38 This process is not required if a formal disciplinary sanction short of dismissal is applied. In this case the officer has a right of appeal to the Licensing and Appeals Sub-Committee (see paragraphs 5.46 to 5.54)

Recommendation to dismiss by the Investigatory Panel and Appeal against the recommendation to dismiss.

- 5.39 Where the Investigatory Panel recommends that the officer should be dismissed, they must notify the Monitoring Officer before taking further action. The Monitoring Officer will ensure that a report from the Investigatory Panel is considered by the Finance and Management Committee. This Committee must approve the dismissal of the officer before notice of dismissal is given to them. Any elected member who has been previously involved in the disciplinary matter will be excluded from this meeting.
- 5.40 The Finance and Management Committee will be entitled to seek clarification of any issue from the Investigatory Panel. The officer concerned will be able to state their case before any decision is made.
- 5.41 The officer will be given at least 10 working days' written notice of the Finance and Management Committee meeting.
- 5.42 The officer will be entitled to be represented at the meeting by a Trade Union representative or another employee of the Council.
- 5.43 The purpose of the appeal is to:
- ☐ Review the decision taken.
 - ☐ Consider whether the procedure has been correctly followed.
- 5.44 The Finance and Management Committee will:
- ☐ Approve the officer's dismissal. In this case the officer will be informed in writing that their dismissal has been confirmed.
 - ☐ Or
 - ☐ Impose a lower level of disciplinary sanction. This should be confirmed in writing.
 - ☐ Or
 - ☐ Exonerate the officer. In this case any reference of the disciplinary proceedings should be destroyed and the officer should be notified of this in writing.
- 5.45 The meeting of the Finance and Management Committee will fulfil the officer's right of appeal against their dismissal and they have no further internal right of appeal against the Committee's decision. The officer will be informed in writing of the Finance and Management Committee's decision by no later than 5 working days' of the meeting.

Appeal against action short of dismissal taken by Investigatory Panel

- 5.46 An officer who wishes to appeal against a formal disciplinary sanction short of dismissal should inform the Head of Organisational Development within 10 working

days' of receiving notification of the disciplinary sanction. The officer must explain their grounds for appeal specifying whether it relates to the facts of the matter, the level of the sanction imposed or whether the procedure has not been properly followed.

- 5.47 The officer's appeal will be heard by 3 members of the Licensing and Appeals Sub-Committee. The Appeals Panel should reflect the political balance of the Council. The appeal must be heard as soon as is reasonably practicable. Generally this should be within 15 working days of the appeal being registered. Members who have been previously involved in the case will be excluded from involvement in the appeal.
- 5.48 The purpose of the appeal will be to:
- ☐ Review the decision taken.
 - ☐ Consider whether the procedure has been followed correctly.
- 5.49 The officer shall be given not less than 10 working days' written notice of the date and venue of the Appeal Hearing. Both sides may call witnesses and produce documents relevant to the appeal. Information on witnesses and the documentary evidence to be produced at the appeal will be exchanged by no later than 5 working days' before the Appeal Hearing.
- 5.50 Members will be advised by the Legal and Democratic Services Manager or their representative. The officer will have the right to be represented by a Trade Union representative or another employee of the Council.
- 5.51 The Appeal Panel may:
- ☐ Upheld the appeal.
 - ☐ Reject the appeal in full.
 - ☐ Reject the appeal in part and impose a lower level of disciplinary sanction.
 - ☐ In exceptional circumstances, reject the appeal and impose a higher level of warning up to and including a final written warning.
- 5.52 The decision of the Appeal Panel will be confirmed verbally to the officer and then in writing within 5 working days of the appeal date.
- 5.53 Where, an appeal is upheld and disciplinary sanctions are revoked; all records will be removed from the officer's personal file, including any related correspondence, and destroyed.
- 5.54 The decision made by the Appeal Panel shall be final and the officer will have no further right of appeal.

Time limits for warnings

5.55 Except in special circumstances any disciplinary action taken should be disregarded for **disciplinary purposes** after the following periods of satisfactory conduct:

- ❑ Recorded oral warning after six months (from the date of the Disciplinary Hearing).
- ❑ First written warning after 12 months (from the date of the Disciplinary Hearing);
- ❑ Final written warning after 18 months (from the date of the Disciplinary Hearing) or such other time as is considered to be appropriate.

After the stated time the warning will be removed from the personal file and disregarded for disciplinary purposes. It will be removed and disregarded after its end date unless another disciplinary issue originates before that date. If such a situation arises, the First Written Warning will continue to be “live” until the conclusion of any Disciplinary Hearing that might follow.

5.56 Depending on the nature of the misconduct, a final written warning may remain in force for a period of greater than 18 months. In this event the officer must be told at the outset and in writing how long the warning will remain in force. They should also be informed of the reason(s) for the longer time period. If an officer considers that the extended time period is unreasonable they may appeal in accordance with the procedure below in paragraphs 5.46 to 5.54.

6.0 Procedure Two

Scope

6.1 Procedure Two applies to the:

- ❑ Head of Paid Service.
- ❑ Officer appointed as the Council’s Section 151 Officer
- ❑ Officer appointed as the Council’s Monitoring Officer

Introduction

6.2 In the case of an allegation of misconduct against the Head of Paid Service, the matter shall be referred by Monitoring Officer and to the Leader of the Council. The Monitoring Officer shall advise and assist the Leader of the Council.

6.3 In the case of an allegation of misconduct against the Section 151 Officer or the Monitoring Officer the matter shall be referred to the Head of Paid Service who will be supported by a representative of Human Resources.

Informal conciliation

6.4 Where appropriate, before resorting to the formal procedure, every reasonable effort should be made to address and resolve an issue of conduct by informal conciliation

Appointment of an Independent Interviewer and Preliminary Investigation

- 6.5 If the Leader of the Council or the Head of Paid Service, as appropriate, considers that the officer has a case to answer, then the Independent Interviewer will be appointed to conduct the investigation.
- 6.6 The Leader of the Council or Head of Paid Service, whichever is appropriate may decide to suspend the officer.
- 6.7 If the Head of Paid Service, or Leader of the Council, as the case may be, consider that the allegation has no substance or material, then they shall confirm that in writing to the person who raised the allegation and that shall be the end of the matter.
- 6.8 The Independent Interviewer will produce a report on the investigation to the Leader of the Council or Head of Paid Service whichever is appropriate. This person will preferably be agreed between the Council and the officer concerned. In the absence of such an agreement, an Independent Interviewer may be nominated by the Secretary of State.
- 6.9 The Independent Interviewer should be provided with terms of reference prior to the preliminary investigation commencing. They will need to be:
- ❑ Aware of the allegation(s) to be investigated.
 - ❑ Provided with access to sources of information and individuals identified as relevant to the issues under investigation.
 - ❑ Aware of timescales.
 - ❑ Be available to complete the investigation in the timescales set.
- 6.10 Once the preliminary investigation has commenced the Independent Interviewer will notify the officer in writing (**see template letter**):
- ❑ Of the allegations being investigated.
 - ❑ That they will be given the opportunity to make representations on their behalf.
 - ❑ That they will be entitled to be accompanied at any investigative interview.
 - ❑ Details of the Investigating Officer.
 - ❑ The timescales for completing the investigating
 - ❑ Points of contact to be used for raising any issues concerning the investigation.
- 6.11 The Independent Interviewer may inspect any documents relating to the conduct of the officer which are in possession of the Council or which the Council has the power to authorise them to inspect.
- 6.12 The Independent Interviewer may require any employee of the Council to answer questions as part of the investigation.

- 6.13 The Independent Interviewer will interview the officer concerned. The officer must receive at least 5 working days' notice (or such longer period as is reasonable in the circumstances) in writing of the requirement for them to attend the investigative interview. A shorter period of notice can be used if parties agree. The letter (**see template letter**) should detail the allegation(s) under investigation and advise the officer of their right to be accompanied by a Trade Union representative or another employee of the Council.
- 6.14 Following their investigation the Independent Interviewer will make a report to the Council:
- ❑ Stating in their opinion as to whether (and if so the extent to which) the evidence they have obtained supports the allegation(s) of misconduct against the officer.
 - ❑ Recommending any disciplinary action which they consider to be appropriate for the Council to take against the officer.
- 6.15 The Independent Interviewer will send a copy of this report to the officer concerned at the time of submitting the report to the Council.
- 6.16 If in the opinion of the Independent Interviewer, the preliminary investigation reveals that the misconduct is of such a nature that it should be dealt with informally (i.e. without a recorded warning on the personal file), then the Independent Interviewer shall record this in his report to the Head of Paid Service or Leader of the Council, whichever is appropriate. No further action shall be taken other than the informal action recommended by the Independent Interviewer.
- 6.17 If it is recommended that disciplinary action is appropriate then the Council will appoint an Investigatory Panel and a Disciplinary Hearing will be convened. The panel must include at least two independent persons, defined as a person appointed under section 28(7) of the Localism Act 2011.

Suspension

- 6.18 The Leader of the Council or the Head of Paid Service (as appropriate) should consider whether suspension of the officer is necessary. The officer may be suspended from duty either before or during any investigation:
- ❑ Where there is enough evidence to suggest that the matter may be one of gross misconduct.
 - ❑ Where the officer's continued presence at work might compromise the investigation.
 - ❑ Where the officer's continued presence may impair the efficient exercise of the function of the Council.
- 6.19 The officer will be informed in writing (**see template letter in the Toolkit**) at the earliest opportunity of their suspension. It will be made clear to the officer that suspension is not a disciplinary penalty and that it will not prejudice any future Disciplinary Hearing. The officer should also be informed of:

- ❑ The reasons for the suspension.
- ❑ Who they may contact in the Council whilst they are suspended.
- ❑ That their suspension is on full pay.
- ❑ That the suspension should not last more than 20 working days subject to the completion of the investigation.

6.20 The necessity for the officer to remain suspended should be reviewed at regular intervals. Lengthy periods of suspension should be avoided where possible.

6.21 The Independent Interviewer may recommend that:

- ❑ The Council terminates any suspension of the officer.
- ❑ That any suspension must continue after the expiry of the 20 working days

No case to answer following a preliminary investigation

6.22 If, following the preliminary investigation, it is decided that the officer has no case to answer; they will be informed of this in writing (**see template letter in the Toolkit**). All records of the investigation will be annotated that this is the case.

Convening an Investigatory Panel and Disciplinary Hearing

6.23 If it is considered that following an investigation that there is a case to answer at a Disciplinary Hearing, an Investigatory Panel will be convened by the Leader of the Council or Head of Paid Service whichever is appropriate. The officer will be notified in writing (**see template letter in the Toolkit**) that the Hearing is taking place. The officer must be given at least 10 working days' notice of the Hearing. The written notice should include:

- ❑ The date, time and location of the Hearing.
- ❑ The report which will include details of the allegation.
- ❑ Details of any witnesses that will be called by the Investigator.
- ❑ The officer will have the opportunity to state their case and call and/or question any witnesses.
- ❑ The fact that the officer is entitled to be represented by a Trade Union representative or another employee at the Hearing.
- ❑ The fact that, depending on its findings, the Hearing could result in disciplinary action and (adding where appropriate) that this could include dismissal.
- ❑ The right to submit a written statement to the Investigatory Panel.

6.24 The Investigatory Panel will consist of at least three members chosen from the Finance and Management Committee. The Panel should reflect the political balance of the Council and can be advised by a representative from Human Resources and/or a representative of Legal and Democratic Services.

Postponement of the Disciplinary Hearing

6.25 The officer or the Council can request one postponement of the Disciplinary Hearing of up to 10 working days. A postponement may be granted in the following circumstances:

- ❑ Inability to attend owing to illness that must be supported by a Fit Note that includes the date of the hearing.
- ❑ A request for additional time to obtain important information for their case.
- ❑ The unavailability of the officer's or the Council's representative.
- ❑ The unavailability of a key witness to the officer's or the Council's case.

Sickness absence during disciplinary proceedings

6.26 Disciplinary proceedings are difficult and stressful. It is, therefore, in everyone's interest that they are concluded without undue delay.

6.27 In some cases the officer may become absent from work during disciplinary proceedings and be given a Fit Note certifying them unfit for work. However, it is also appropriate to complete the disciplinary proceedings at the earliest opportunity and they should be progressed as far as possible in the absence of the officer.

6.28 The framework in paragraphs 5.25 to 5.29 will be applied where disciplinary proceedings are affected by an officer's sickness absence.

Exchange of information prior to the Disciplinary Hearing

6.29 Either party can submit Information to be presented at the Disciplinary Hearing. They are responsible for providing this information to the appropriate officer to enable it to be exchanged by no later than 5 working days' prior to the Disciplinary Hearing.

Conduct of the Disciplinary Hearing

6.30 The framework for conducting the Disciplinary Hearing is in **Appendix B**.

6.31 The officer is entitled to be represented at the Hearing by a Trade Union representative or another employee of the Council.

6.32 The Investigatory Panel's decision will normally be given to the officer verbally at the Hearing. The decision will then be confirmed in writing to the officer within 5 working days' of the Hearing.

Possible outcomes of a Disciplinary Hearing

6.33 The possible outcomes of a Disciplinary Hearing are explained in paragraph 5.34.

Disciplinary Hearing - disciplinary action

6.34 Following an investigation and Disciplinary Hearing the formal disciplinary action that can be taken is explained in paragraph 5.35.

6.35 It should be made clear that the recommendation to dismiss the officer (with or without notice) is subject to the approval of the Full Council.

- 6.36 An employee may not be dismissed for a first breach of discipline **except in the event of gross misconduct.**
- 6.37 The Investigatory Panel's decision will normally be given to the officer verbally at the Disciplinary Hearing. The decision will then be confirmed in writing (**see template letter**) to the officer within 5 working days' of the Hearing. In the case of a recommendation to dismiss the process in paragraphs 6.39 to 6.45 should be followed.
- 6.38 This process is not required if a formal disciplinary sanction short of dismissal is applied. In this case the officer has a right of appeal to the Licensing and Appeals Sub-Committee (see paragraphs 6.46 to 6.54)

Recommendation to dismiss by the Investigatory Panel and Appeal against the recommendation to dismiss.

- 6.39 Where the Investigatory Panel recommends that the officer should be dismissed, they must notify the Leader of the Council or Head of Paid Service whichever is appropriate before taking further action. A report from the Investigatory Panel will be considered by the Full Council who must approve the dismissal of the officer before notice of dismissal is given to them. Any elected member who has been previously involved in the disciplinary matter will be excluded from this meeting.
- 6.40 The Full Council will be entitled to seek clarification of any issue from the Investigatory Panel. The officer concerned will be able to state their case before any decision is made.
- 6.41 The officer will be given at least 10 working days' written notice of the meeting of the Full Council.
- 6.42 The officer will be entitled to be represented at the meeting by a Trade Union representative or another employee of the Council.
- 6.43 The purpose of the appeal is to:
- ☐ Review the decision taken.
 - ☐ Consider whether the procedure has been correctly followed.
- 6.44 The Full Council will:
- ☐ Approve the officer's dismissal. In this case the officer will be informed in writing that their dismissal has been confirmed.
 - ☐ Or
 - ☐ Impose a lower level of disciplinary sanction. This should be confirmed in writing.
 - ☐ Or
 - ☐ Exonerate the officer. In this case any reference of the disciplinary proceedings should be destroyed and the officer should be notified of this in writing.

- 6.45 The meeting of the Full Council will fulfil the officer's right of appeal against their dismissal and they have no further internal right of appeal against the Council's decision. The officer will be informed in writing of the Council's decision by no later than 5 working days' of the meeting.

Appeal against action short of dismissal taken by Investigatory Panel

- 6.46 An officer who wishes to appeal against a formal disciplinary sanction short of dismissal should inform the Head Organisational Development within 10 working days' of receiving notification of the disciplinary sanction. The officer must explain their grounds for appeal specifying whether it relates to the facts of the matter, the level of the sanction imposed or whether the procedure has not been properly followed.
- 6.47 The officer's appeal will be heard by 3 members of the Licensing and Appeals Sub-Committee. The Appeals Panel should reflect the political balance of the Council. The appeal must be heard as soon as is reasonably practicable. Generally this should be within 15 working days of the appeal being registered. Members who have been previously involved in the case will be excluded from involvement in the appeal.
- 6.48 The purpose of the appeal will be to:
- ☐ Review the decision taken.
 - ☐ Consider whether the procedure has been followed correctly.
- 6.49 The officer shall be given not less than 10 working days' written notice of the date and venue of the Appeal Hearing. Both sides may call witnesses and produce documents relevant to the appeal. Information on witnesses and the documentary evidence to be produced at the appeal will be exchanged by no later than 5 working days' before the Appeal Hearing.
- 6.50 Members will be advised by the Legal and Democratic Services Manager or a representative from Human Resources. The officer will have the right to be represented by a Trade Union representative or another employee of the Council.
- 6.51 The Appeal Panel may:
- ☐ Upheld the appeal.
 - ☐ Reject the appeal in full.
 - ☐ Reject the appeal in part and impose a lower level of disciplinary sanction.
 - ☐ In exceptional circumstances, reject the appeal and impose a higher level of warning up to and including a final written warning.
- 6.52 The decision of the Appeal Panel will be confirmed verbally to the officer and then in writing within 5 working days of the appeal date.

- 6.53 Where, an appeal is upheld all records will be removed from the officer's personal file, including any related correspondence, and destroyed.
- 6.54 The decision made by the Appeal Panel shall be final and the officer will have no further right of appeal.

Time limits for warnings

- 6.55 The time limits for warnings are set out in paragraphs 5.55 and 5.56.

7.0 Review of procedures

- 7.1 These procedures will be reviewed in conjunction with the Council. As a minimum, it will be reviewed every two years.
- 7.2 Human Resources is authorised to make minor amendments to the procedure e.g. changes in job titles resulting from an organisational restructure.

Appendix A

Examples of Gross Misconduct

Some of the offences which may be regarded as gross misconduct are:

- ❑ Serious failure to comply with the Council's Equal Opportunity and Fairness Scheme.
- ❑ Serious bullying, harassment or victimisation of another employee, client or a member of the public.
- ❑ Fighting or assault on another person during working hours or in connection with employment with the Council.
- ❑ Abusive/threatening behaviour towards another employee or a member of the public in the course of their duties.
- ❑ Theft of the Council's or an individual's property.
- ❑ Deliberate falsification of Council documents/records.
- ❑ Fraud, acceptance of bribes or other corrupt practices/acts.
- ❑ Deliberate damage to property.
- ❑ Being incapable of safely performing normal duties due to the influence of alcohol or drugs.
- ❑ Serious infringement of the Electronic Communications and Security Policy.
- ❑ Serious infringement of the Council's Social Media Policy.
- ❑ Serious breach of the Council's Alcohol and Drugs Policy (examples are given in the policy)
- ❑ Gross insubordination.
- ❑ Gross negligence.
- ❑ Misuse of the Council's property or name.
- ❑ A serious breach of the Council's Health and Safety rules/procedures.
- ❑ Failure to disclose any criminal conviction during the course of employment (consideration will be given to the nature of the employment and conviction).
- ❑ Holding unauthorised paid/unpaid secondary employment during paid Council time.
- ❑ Deliberately hindering or seeking to influence to the proper completion of a disciplinary investigation.
- ❑ Maintaining or making inappropriate contact during periods of formal suspension of an employee
- ❑ Serious breach of the employees Code of Conduct
- ❑ Serious spurious allegations against any employee or member of the public
- ❑ Contravention of the conditions relating to employment in a politically restricted post.

This list of examples is not exhaustive.

Appendix B

Framework for conducting the Disciplinary Hearing

1. The Chair of the Panel will begin the formal Disciplinary Hearing by:
 - ❑ Introducing those present.
 - ❑ Explaining the purpose of the Hearing.
 - ❑ Checking any arrangements for representation.
 - ❑ Ensuring documents have been exchanged.
 - ❑ Outlining the format of the Hearing.
2. The Investigator\ Independent Interviewer will present their case, referring to any documents or witnesses. If any witness is called:
 - ❑ They will question the witness.
 - ❑ The employee or their representative may question the witness.
 - ❑ The Panel may ask questions of the witness.
3. The officer or their representative may question the Investigator\ Independent Interviewer on the case they have presented.
4. The Panel may question the Investigator\Independent Interviewer
5. The officer or their representative will present the officer's response which will include referring to documents and witnesses where appropriate. If any witness is called:
 - ❑ They will question the witness.
 - ❑ The Investigator\ Independent Interviewer may question the witness.
 - ❑ The Panel may ask questions of the witness.
6. The Investigator\ Independent Interviewer may question the officer or representative on the officer's case.
7. The panel may question the officer or their representative.
8. Each side will sum up their case. New evidence cannot be introduced during the summing up. The Investigator\ Independent Interviewer will begin the summing up followed by the officer or their representative.
9. The Panel will adjourn to consider the evidence and decide whether or not the allegations are substantiated and any disciplinary action to be taken.
10. All parties will be recalled and informed of the Panel's decision and that it will be confirmed in writing. It appropriate the Panel will inform the officer of their right of appeal.

Note: Any decision to dismiss is subject to the appropriate process in these procedures.

REPORT TO:	COUNCIL	AGENDA ITEM: 12
DATE OF MEETING:	17th JANUARY 2019	CATEGORY: RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (CORPORATE RESOURCES)	OPEN
MEMBERS' CONTACT POINT:	KEVIN STACKHOUSE (01283 595811) kevin.stackhouse@south-derbys.gov.uk	DOC: s/Finance/Committee/2018-19/Jan 19
SUBJECT:	CAPITAL STRATEGY 2019/20 to 2022/23	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: Article 4.01

1.0 Recommendations

- 1.1 That the proposed Capital Strategy 2019/20 to 2022/23 as detailed in **Appendix 1** is approved.
- 1.2 That the Strategy is monitored by the Finance and Management Committee and an annual review is reported to the Council in accordance with the Prudential Code.

2.0 Purpose of the Report

- 2.1 To provide an update to the Council's Capital Strategy as required under the CIPFA 2017 Prudential Code.

3.0 Detail

- 3.1 In December 2017, CIPFA issued an update to the Prudential Code requiring authorities to look at capital expenditure in light of overall organisational strategy and resources to ensure that decisions are being made with sufficient regard to the long-term financing implications and potential risks to the Council.
- 3.2 The updated Prudential Code remained largely unchanged. However there is now a requirement to produce a Capital Strategy in order to demonstrate that capital expenditure decisions are taken in line with service objectives and properly take account of stewardship, value for money, prudence, sustainability and affordability.
- 3.3 The Council have historically had a Capital Strategy in place in line with best practice but this has now been updated to include the requirements set out in the Code.

4.0 Financial Implications

- 4.1 None

5.0 Corporate Implications

Employment Implications

5.1 None

Legal Implications

5.2 None

Corporate Plan Implications

5.3 The proposed Strategy is an element to help ensure that the Council “maintains financial health” which is a key aim (O1) in the Corporate Plan.

Risk Impact

5.4 Meeting additional demand for Council Services due to the growth of the District is a key risk in the Council's Corporate and Medium-Term Financial Plans. A fully costed capital expenditure programme provides on-going investment in services and the Council's asset base to support the growth of the District. This in turn helps to ensure that the Council's financial position remains sustainable.

6.0 Community Impact

Consultation

6.1 None

Equality and Diversity Impact

6.2 None

Social Value Impact

6.3 None

Environmental Sustainability

6.4 None

7.0 Background Papers

7.1 None



**South
Derbyshire
District Council**

Capital Strategy 2019/20 – 2022/23

Introduction

The Capital Strategy is intended to give a high level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services along with an overview of how associated risk is managed and the implications for future financial sustainability.

This Capital Strategy forms a key component of the Council's planning framework and provides a mechanism by which the Council investment and financing plans can be prioritised and delivered over the medium term planning period.

The principal aim is to deliver an affordable programme of capital investment consistent with the Council's financial strategy and that contributes to the achievement of the Council's priorities and objectives as set out in the Medium Term Financial Plan.

The Strategy defines at the highest level how the capital programme is to be formulated and designed; it identifies the issues and options that influence capital spending and sets out how the resources and capital programme will be managed. As well as detailing the approved capital investment programme over the forthcoming four years, the document also sets out the Council's ambitions over the medium to longer term.

The basic elements of the Strategy therefore include:

- A direct relationship to the Medium Term Financial Plan.
- A framework for the review and management of existing and future assets (Asset Management Plan).
- A framework that prioritises the use of capital resources;
- A consideration of the need to pursue external financing (grants, contributions etc.) which reconcile external funding opportunities with the Council's Corporate Plan.
- A direct relationship with the Treasury Management Strategy and the limitations on activity through the treasury management Prudential Indicators.

This document is intended for use by all stakeholders to show how the Council makes decisions on capital investment:

- To decide on capital investment policy within the overall context of investment need/opportunity and affordability.
- To provide an understanding of the need for capital investment and help stakeholders scrutinise policy and management.
- The strategy sets out South Derbyshire District Council's approach to Capital Investment for the next 4 years, aligned with the Council's Medium Term Financial Plan.

Operating Environment

Asset and Capital decisions need to be made in context of the following directions and influences to the environment in which they are made.

National Context

The Government's referendum held on 23rd June 2016 resulted in the decision for the United Kingdom to leave the European Union. The negotiations on the exit arrangements are ongoing and therefore there is an added uncertainty on the economic situation until the conclusion of these negotiations.

This plan period may see South Derbyshire District Council's revenue budgets being subject to further pressure which could have a direct impact on the Council's ability to self-fund capital investment.

Over recent years, the Government has revised mechanisms to prioritise capital funding with increased business case bids and developments, such as the Better Care Fund combining Disabled Facility Grants (DFG) and Adult Social Care as one fund to be allocated over prioritised projects enabling better use of the available funding.

The Single Local Growth fund is another government scheme developed to bring together local public sector partners. Through Growth Deals, Local Enterprise Partnerships can seek freedoms, flexibilities and influence over resources from the Government and a share of the Local Growth Fund to target their identified growth priorities.

Local Enterprise Partnerships can draw investment for a range of resources to fund priorities identified in the Strategic Economic Plans. Through whichever mechanism they are delivered, direct grants are expected to be a significant source of capital funding for the Council.

South Derbyshire District Council's Position

Previously, resources have been set-aside from Capital Receipts to finance capital projects within the District. Associated schemes were approved and included within the Capital Programme. All of the Projects with approved funding from previous capital receipts have reached completion within the financial year 2018/19.

Going forward, the main focus area of spend will be on council housing investment, private sector housing and the acquisition of vehicles.

Additional capital receipts may be received from sales of land but no prior investment commitments will be made until monies have been received. The Council has an established evaluation framework in place to prioritise capital investment.

The Better Care Fund (BCF) allocation from Derbyshire County Council has increased the funding received for Disabled Facility Grants. The funding is to be allocated to a number of projects delivered through the BCF Assurance Plan.

Council policy is to reinvest all housing receipts (after any pooling payment to Government) from the sale of council houses and land, into the housing stock and in particular, for New Build.

With regards to New Build, the Council has an agreement with the Government to enable it to retain additional receipts generated above a target level of council house sales each year (known as 1-4-1 receipts) to be used on New Build.

The Councils' Vision and priorities

This is set out in the Corporate Plan (2016 to 2021) and is to:

“Make South Derbyshire a better place to live, work and visit.”

To enable this vision to be delivered, the Corporate Plan has set out 4 main priorities:

- People – Keeping residents happy, healthy and safe.
- Place – Creating vibrant communities to meet residents needs
- Progress – Encouraging inward investment and tourism opportunities.
- Outcomes – Work that underpins all of our activities

The Capital Strategy supports the achievement of this vision through investment in the assets the Council owns, through the delivery of key infrastructure to support growth and improvement in services and through improvement to the services and systems that the Council utilises.

Capital Expenditure and Financing

Capital expenditure is where the Council spends money on assets, such as property or vehicles that will be used for more than one year. In local government this includes spending on assets owned by other bodies and loans and grants to other bodies enabling them to buy assets. The Council has some limited discretion on what counts as capital expenditure, for example Property assets costing below £10,000 and vehicles below £5,000 are not capitalised and are charged to revenue in year.

In 2019/20, the Council is planning capital expenditure of £2.6m as summarised below:

Table 1: Prudential Indicator: Estimates of Capital Expenditure (£)

	2017/18 actual	2018/19 forecast	2019/20 budget	2020/21 budget	2021/22 budget	2022/23 budget
General Fund services	766,908	2,441,646	336,000	336,000	336,000	386,000
Council housing (HRA)	1,323,517	2,869,513	1,888,000	1,935,000	1,983,000	1,692,000
Capital investments	2,066,828	1,467,638	445,000	445,000	445,000	445,000
TOTAL	4,157,253	6,778,797	2,669,000	2,716,000	2,764,000	2,523,000

The capital investment is split between vehicle and asset investment with £315k per year to allow for the replacement of the Council's vehicles over a 7 year period, and £130k for investment/replacement in the Councils' assets.

General Fund Services is the funding received from Derbyshire County Council for the delivery of projects through the Better Care Fund and the BCF Assurance Plan.

The Housing Revenue Account (HRA) is a ring-fenced account which ensures that council housing does not subsidise, or is itself subsidised, by other local services. HRA capital expenditure is

therefore recorded separately. The Council has a programme of funding major improvements under self-financing to its current housing stock.

Following the Government's announcement of the removal of the Debt Cap, the Council currently has no plans to borrow over its original cap of £66.853m and will continue to be prudent.

Governance: The Strategic Director (Corporate Resources) is responsible for ensuring that capital proposals have undergone project appraisal in accordance with guidelines issued. The Strategic Director (Corporate Resources) ensures projects have a plan, progress targets and associated revenue expenditure is prepared for each capital project. In order to obtain approval, the Finance and Management Committee appraise all bids based on a comparison of service priorities against financing costs. The final capital programme is monitored quarterly and reported to members at the Finance and Management Committee.

All capital expenditure must be financed, either from external sources (government grants and other contributions) the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and Private Finance Initiative). The planned financing of the above expenditure is as follows:

Table 2: Capital financing (£)

	2017/18 actual	2018/19 forecast	2019/20 budget	2020/21 budget	2021/22 budget	2022/2023 budget
External sources	766,113	4,072,658	336,000	336,000	336,000	386,000
Own resources	3,391,139	2,706,139	2,333,000	2,380,000	2,428,000	2,137,000
Debt	0	0	0	0	0	0
TOTAL	4,157,253	6,778,797	2,669,000	2,716,000	2,764,000	2,523,000

Debt is only a temporary source of finance, since loans and leases must be repaid and this is therefore replaced over time by other financing, usually from revenue which is known as the **Minimum Revenue Provision (MRP)** / loans fund repayments. Alternatively, proceeds from selling capital assets (known as capital receipts) may be used to replace debt finance.

MRP represents the minimum amount that must be charged to an authority's revenue account each year for financing of capital expenditure, which will have initially been funded by borrowing. MRP is important for prudent accounting because it allows an authority to put aside an amount of revenue that can be used towards the capital expenditure that was previously financed through either borrowing or credit.

The Council uses the Regulatory method to calculate MRP and the Regulatory method is charged at 4% of the authority's underlying need to borrow for capital purposes, i.e. the Capital Financing Requirement (CFR).

Table 3: Replacement of debt finance (£)

	2017/18 actual	2018/19 forecast	2019/20 budget	2020/21 budget	2021/22 budget	2022/2023 budget
Own resources	3,391,139	2,706,139	2,288,000	2,335,000	2,383,000	2,092,000

The General Fund does not currently have any actual debt outstanding and its underlying borrowing requirement is financed from reserves and balances.

Under self-financing, the HRA pool operated within a cap over which no actual borrowing was allowed. Previously the prescribed debt cap limit for the Council set by the Government was £66.853m.

In October 2018 the government announced the abolition of the borrowing cap. As a result, local authorities are now able to borrow for housebuilding in accordance with the Prudential Code. The Council has adopted a prudent approach to the announcement and has no current plans to exceed the cap previously prescribed.

The Council's cumulative outstanding amount of debt finance is measured by the capital financing requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP / loans fund repayments and capital receipts used to replace debt. On 31st March 2018, the Authority had net borrowing (after allowing for investments) of £32.95m arising from its revenue and capital income and expenditure, a decrease on 2017 of £14.5m.

The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR). Actual CFR versus budgeted CFR is summarised below.

Table 4: Prudential Indicator: Estimates of Capital Financing Requirement (£'000)

	2017/18 actual	2018/19 forecast	2019/20 budget	2020/21 budget	2021/22 budget	2022/2023 budget
General Fund services	5,653	5,316	4,988	4,667	4,409	4,214
Council housing (HRA)	61,584	61,584	61,584	61,584	61,584	51,584
TOTAL CFR	67,237	66,900	66,572	66,251	65,993	55,798

The relevant Prudential Indicators for the capital programme are detailed in the Treasury Management Strategy

Asset management: To ensure that capital assets continue to be of long-term use, the Council has an Asset Management Strategy in place. This seeks to align the Council's asset base with its corporate objectives to ensure services are delivered efficiently.

Asset disposals: When a capital asset is no longer needed, it may be sold so that the proceeds, known as capital receipts, can be spent on new assets or to repay debt. The Council is currently also permitted to spend capital receipts on service transformation projects until 2021/22.

Capital grants, loans and investments also generate capital receipts. The Council's known capital receipts in the coming financial years are as follows:

Table 5: General Capital receipts (£'000)

	2017/18 actual	2018/19 forecast	2019/20 budget	2020/21 budget	2021/22 budget	2022/23 budget
Asset sales	0	-400	0	0	0	0
Land Sales	-1,767	-691	0	0	-500	-500
TOTAL	-1,767	-1091	0	0	-500	-500

Treasury Management

Treasury management is concerned with keeping sufficient but not excessive cash available to meet the Council's spending needs, while managing the risks involved. Surplus cash is invested until required, while a shortage of cash will be met by borrowing, to avoid excessive credit balances or overdrafts in the Current Account.

The Council is currently cash rich in the short-term as revenue income is received before it is spent, but potentially cash poor in the long-term as capital expenditure is incurred before being financed. The revenue cash surpluses are offset against capital cash shortfalls to reduce overall borrowing.

Due to decisions taken in the past, the Council currently has £57.541m borrowing at an average interest rate of 3.19% on fixed term borrowing and 0.79% on variable rate borrowing. Current Treasury investments total £27.592m at an average rate of 4.54% (long term investment) and 0.23% in short term investments.

Borrowing strategy: The Council's main objectives if borrowing are to achieve a low but certain cost of finance while retaining flexibility should plans change in the future. These objectives are often conflicting and the Council therefore seeks to strike a balance between cheap short-term loans (currently available at around 0.75%) and long-term fixed rate loans where the future cost is known but higher (currently 2.0 to 3.0%).

Projected levels of the Council's total outstanding debt are shown below, compared with the capital financing requirement.

Table 6: Prudential Indicator: Gross Debt and the Capital Financing Requirement (£'000)

	2017/18 actual	2018/19 forecast	2019/20 budget	2020/21 budget	2021/22 budget	2022/2023 budget
General Fund Services	-3,560	-2,864	-1,754	-740	510	2,162
Council housing (HRA)	57,423	57,423	57,423	57,423	47,423	47,423
Capital Financing Requirement	67,237	66,900	66,572	66,251	65,993	55,798

Statutory guidance is that debt should remain below the capital financing requirement, except in the short-term. As can be seen from table 6, the Council expects to comply with this in the medium term.

Liability benchmark: To compare the Council's actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest risk level of borrowing. This assumes that cash and investment balances are kept to a minimum level of £57,423m at each year-end. This benchmark is currently £67,237m and is forecast to fall to £55,993m over the next five years.

Table 7: Borrowing and the Liability Benchmark in (£'000)

	2017/18 actual	2018/19 forecast	2019/20 budget	2020/21 budget	2021/22 budget	2022/23 budget
Outstanding borrowing	57,423	57,423	57,423	57,423	47,423	47,423
Liability benchmark	67,237	66,900	66,572	66,251	66,251	55,993

The table shows that the Council expects to remain below its liability benchmark. This is because cash inflows to date have been above the assumptions made when the loans were borrowed and there has been no requirement for additional sums. The Council has adopted a prudent approach to its finances and its borrowing requirements.

Affordable borrowing limit: The Council is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year. In line with statutory guidance, a lower "operational boundary" is also set as a warning level should debt approach the limit.

Table 8: Prudential Indicators: Authorised limit and operational boundary for external debt (£'000)

	2018/19 limit	2019/20 limit	2020/21 limit	2021/22 limit	2022/23 limit
Authorised limit – borrowing GF	5,316	4,988	4,667	4,667	4,409
Authorised limit – borrowing HRA	66,853	66,853	66,853	66,853	66,853
Authorised limit – total external debt	72,169	71,841	71,520	71,520	71,262
Operational boundary – borrowing	62,423	62,423	62,423	52,423	52,423
Operational boundary – total external debt	62,423	62,423	62,423	52,423	52,423

Further details on borrowing are in pages 5 to 7 of the Treasury Management Strategy

Investment strategy: Treasury investments arise from receiving cash before it is expended. Investments made for service reasons or for pure financial gain are not generally considered to be part of treasury management.

The Council's policy on treasury investments is to prioritise security and liquidity over yield, i.e. to focus on minimising risk rather than maximising returns. Cash that is likely to be spent in the near term is invested securely, for example with the government, other local authorities or selected high-quality banks, to minimise the risk of loss. Money that will be held for longer terms is invested with the CCLA Property Fund to balance the risk of loss against the risk of receiving returns below inflation.

Both near-term and longer-term investments may be held in pooled funds, where an external fund manager makes decisions on which particular investments to buy and the Council may request its money back at short notice.

Table 9: Treasury management investments (£'000)

	2017/18 actual	2018/19 forecast	2019/20 budget	2020/21 budget	2021/22 budget	2022/2023 budget
Near-term investments	8,000	5,000	4,000	4,000	2,000	2,000
Longer-term investments	1,000	1,000	2,000	2,000	2,000	2,000
TOTAL	9,000	6,000	6,000	6,000	4,000	4,000

Governance: Decisions on treasury management investment and borrowing are made daily and are therefore delegated to the Strategic Director (Corporate Resources) and staff, who must act in line with the Treasury Management Strategy approved by the Finance and Management Committee. Quarterly reports on treasury management activity are presented to the Finance and Management Committee. The Council's Audit Sub-Committee is responsible for scrutinising the Treasury Management Framework in response to Auditor's reports.

The Councils borrowing and investment strategies are detailed in the Treasury Management Strategy

Investments for Service Purposes

The Council makes investments to assist local public services including making grants and loans to local service providers, local small businesses to promote economic growth and the Council's partnerships that provide services. In light of the public service objective, the Council is willing to take more risk than with treasury investments, however it still plans for such investments to break-even/generate a profit after all costs.

Governance: Decisions on service investments are made by the relevant service manager in consultation with the Strategic Director (Corporate Resources) and must meet the criteria and limits laid down in the Investment Strategy which is to be updated. Any loans and shares entered into are capital expenditure and purchases will therefore also be approved as part of the capital programme.

Commercial Activities

Central Government financial support for local public services has been declining year on year. In response to this, many authorities are increasing their investment in commercial property purely or mainly for financial gain with financial return being the main objective. In these cases, higher risks are accepted on commercial investment than with treasury investments.

The Council currently has no plans over the medium term to invest in any new commercial activities and follows its investment strategy for lower risk returns on surplus funds.

The Council has a small portfolio of commercial properties which are held to earn rentals and/or for capital appreciation.

Governance: Decisions on commercial investments are made by the Strategic Director (Corporate Resources) in line with the criteria and limits approved by Finance and Management Committee in the Treasury Management Strategy. Property and most other commercial investments are also capital expenditure and purchases will therefore also be approved as part of the capital programme.

Liabilities

In addition to debt of £57.423m detailed previously, the Council is committed to making future payments to cover its pension fund deficit (valued at £31.668m as at 31st March 2018). It has also set aside £929k to cover risks of appeals against planning and NNDR decisions. No contingent liabilities are currently in place at the Council.

Governance: Decisions on incurring new discretionary liabilities are taken by Service Managers in consultation with the Financial Services Manager and the Strategic Director (Corporate Resources). The risk of liabilities crystallising and requiring payment is monitored by the Financial Services Manager and reported quarterly to Finance and Management Committee. New liabilities exceeding the materiality threshold are reported to Full Council for approval/notification as appropriate.

Further details on liabilities and guarantees are on pages 78 to 94 of the 2017/18 Statement of Accounts

Revenue Budget Implications

Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP/ loan fund repayments are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream, i.e. the amount funded from Council Tax, Business Rates and General Government grants.

Table 10: Prudential Indicator: Proportion of financing costs to net revenue stream

	2017/18 actual	2018/19 forecast	2019/20 budget	2020/21 budget	2021/22 budget	2022/2023 budget
Financing costs £m	1.732	1.788	1.788	1.788	1.788	1.498
Proportion of net revenue stream	15%	15%	15%	15%	15%	11.61%

Sustainability: Due to the very long-term nature of capital expenditure and financing, the revenue budget implications of expenditure incurred in the next few years will extend far into the future. The Strategic Director (Corporate Resources) is satisfied that the proposed capital programme is prudent, affordable and sustainable due to the fact that all business cases and plans for expenditure have been submitted and formally approved following strict governance arrangements before funding is made available.

Investments will be measured using appropriate project appraisals such as NPV (net present value) and direct annual revenue effects will also be considered when assessing affordability. A robust system is in place to ensure that due regard is paid to the Code of Practice on a Prudential Approach to Local Authority Commitments in preparing the Capital Programme.

Knowledge and Skills

The Council employs professionally qualified and experienced staff in senior positions with responsibility for making capital expenditure, borrowing and investment decisions.

For example, the Financial Services Manager is a qualified accountant, the Asset Manager is a qualified Chartered Surveyor and the Committee are advised by the Section 151 Officer (Chief Finance) Officer who is the Strategic Director (Corporate Resources).

The day to day operational responsibility of the Capital Programme is undertaken by the Senior Accountant in the Financial Services Unit at the Council. The Council pays for junior staff to study towards relevant professional qualifications including AAT, CIPFA, ACCA and CIMA for continued professional development and business continuity.

Where Council staff do not have the knowledge and skills required, use is made of external advisers and consultants that are specialists in their field. The Council currently employs Arlingclose Limited as treasury management advisers. This approach is considered to be more cost effective than employing such staff directly and ensures that the Council has access to knowledge and skills commensurate with its risk appetite.

REPORT TO:	COUNCIL	AGENDA ITEM: 13
DATE OF MEETING:	17th JANUARY 2019	CATEGORY: RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ARDIP KAUR ardip.kaur@south-derbys.gov.uk	DOC:
SUBJECT:	UPDATE OF THE COUNCIL'S OUTSIDE BODIES LIST 2018 - 2019	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That Council approves the updated Outside Bodies List attached at Appendix 1

2. Purpose of the Report

- 2.1 To provide the current, updated list of Outside Bodies.

3 Detail

At its last Meeting on 1st November 2018, Council was advised of the below amendments to the list of Outside Bodies.

It was announced that the following organisations are no longer operating:

4. Burton Hospitals NHS Foundation Trust Governors	Councillor Mrs K Coe
51. Waste Less/Save More Project	Councillor P Watson

And that the below organisation is now referred to as Active Derbyshire:

16. Derbyshire Sport	Councillor P Smith
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Subject to agreement to the above, a revised Outside Bodies List has been compiled, as detailed at Appendix 1, taking into account the above revisions and organisation name changes.

4 Financial Implications

There are none relating to this report

5. Corporate Implications

There are none relating to this report

6 Community Impact

There are none relating to this report

7. Background Papers

7.1 Outside Bodies List 2018/19.

ANNEXE D

**SCHEDULE OF PERSONS NOMINATED FOR SERVICES AS
REPRESENTATIVES OF THE COUNCIL
ON OUTSIDE BODIES FOR 2018/19**

Organisation	Representative(s)
1. Acre Lane, Shardlow Sand & Gravel Site Liaison Committee	Councillor P Watson Councillor Dr. H Coyle (sub)
2. Arts Derbyshire	Councillor J Hewlett
3. Active Derbyshire	Councillor P Smith
4. Association of Retained Council Houses Ltd. (ARCH)	Councillor J Hewlett Strategic Director (Service Delivery)
5. Central Midlands Audit Partnership Board	Chairman of Finance and Management Committee Vice-Chairman of Finance and Management Committee (sub)
6. Citizens Advice South Derbyshire and Derby (CASDAD)	Councillor J Hewlett Councillor Mrs K Coe
7. Community Arts Project ("People Express") Management Committee	Councillor Mrs J Patten Councillor Mrs K Coe
8. Community Transport (Swadlincote) Management Committee	Councillor D Muller
9. D2 Joint Committee For Economic Prosperity	Councillor M Ford Councillor A Billings (sub)
10. Derby Airfield Consultative Committee	Councillor M Ford
11. Derby and Derbyshire Strategic Leadership Forum	Councillor M Ford Councillor A Billings (sub) Chief Executive Monitoring Officer (sub)
12. Derby and Sandiacre Canal Trust Ltd	Councillor M Stanton
13. Derbyshire Hate Crime Practitioners Network Meeting	Councillor Mrs J Patten
14. Derbyshire Partnership Forum	Councillor M Ford
15. Derbyshire Police and Crime Panel	Councillor D Muller Councillor S Swann (sub)
16. Donington Park Racing Circuit Liaison Committee	Councillor P Watson Councillor N Atkin (sub) Councillor J Harrison (sub)
17. East Midlands Airport Independent Consultative Committee	Councillor J Harrison Councillor M Ford (sub)
18. East Midlands Airport Liaison Committee	Aston, Melbourne and Repton Ward Members
19. East Midlands Arts	Councillor Mrs J Patten

20. East Midlands Councils	Councillor M Ford
21. Elvaston Quarry Waste Disposal Site Liaison Committee	Councillor P Watson Councillor Dr. H Coyle (sub)
22. Environmental Education Project Steering Group	Councillor J Hewlett
23. Goseley Community Centre Committee	Councillor Mrs K Coe Councillor S Taylor
24. Heart of the Forest Forum	Councillor M Stanton
25. Hilton Harriers Mease Management Committee	Councillor Mrs J Patten
26. Homestart	Councillor P Smith
27. Local Government Association (London)	Councillor M Ford (General Assembly)
28. Local Government Information Unit	Councillor M Ford Councillor A Billings (sub)
29. Melbourne Sporting Partnership	Chief Executive
30. New Albion Revised Liaison Committee	Councillor A MacPherson
31. Parking and Traffic Regulations (outside London) Adjudication Joint Committee	Councillor A MacPherson
32. Pingle Artificial Turf Pitch Management Group	Councillor P Smith
33. Relate	Councillor Mrs J Patten
34. Rosliston and Caldwell Village Hall Management Committee	Councillor J Grant
35. Rosliston Forestry Centre Management Executive	Councillor J Hewlett
36. Rosliston Forestry Community Group	Councillor J Grant
37. Rural Action Derbyshire	Councillor M Stanton
38. Safer South Derbyshire Partnership Strategic Group	Councillor M Ford Councillor J Hewlett (sub)
39. Shardlow Heritage Trust Council of Management	Councillor M Stanton
40. Sharpe's Pottery Heritage & Arts Trust Ltd.	Councillor Dr. H Coyle Councillor Mrs K Coe Councillor M Stanton Councillor J Patten
41. Sir John Port and John Osbourne Almshouses Charitable Trust	Councillor D Muller
42. Social Care Forum	Councillor P Smith
43. South Derbyshire CVS	Councillor D Muller Councillor R Tipping

44. South Derbyshire Mental Health Association	Councillor J Hewlett
45. South Derbyshire Music Trust Management Committee	Councillor P Murray
46. South Derbyshire Partnership	Councillor M Ford Councillor A Billings Councillor K Richards Councillor T Southerd (sub) Economic Development Manager
47. South Derbyshire Strategic Sports Group	Councillor P Smith Councillor J Hewlett (sub)
48. Swarkestone Pit, Barrow-on-Trent Sand and Gravel Site Liaison Committee	Councillor P Watson Councillor Dr H Coyle (sub)
49. Toyota Community Liaison Committee	Councillor Mrs L Brown Councillor D Muller
50. Willshee's Skip Hire Ltd Site Liaison Committee	Councillor D Pegg

PLANNING COMMITTEE

16th October 2018

PRESENT:-

Conservative Group

Councillor Mrs Brown (Chairman), Councillor Mrs Coe (Vice-Chairman) and Councillors Ford, Harrison, MacPherson (substituting for Councillor Stanton), Muller and Watson

Labour Group

Councillors Dr Pearson, Rhind (substituting for Councillor Tilley), Shepherd and Southerd

Independent / Non-Grouped Member

Councillor Coe

In attendance

Councillors Atkin and Grant

PL/86 **APOLOGIES**

Apologies for absence were received from Councillors Stanton (Conservative Group), Councillor Tilley (Labour Group) and Tipping (Independent / Non Grouped Member)

PL/87 **MINUTES**

The Open Minutes of the Meetings held on 26th June 2018, 17th July 2018, 7th August 2018 and 4th September 2018 were taken as read, approved as a true record and signed by the Chairman.

PL/88 **DECLARATIONS OF INTEREST**

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

PL/89 **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/90 REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) 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/91 THE CHANGE OF USE OF AGRICULTURAL LAND FOR USE AS RESIDENTIAL CARAVAN SITE FOR 6 GYPSY FAMILIES, INCLUDING THE ERECTION OF TWO AMENITY BUILDINGS, LAYING OF HARDSTANDING AND ACCESS IMPROVEMENTS ON LAND AT SK4229 2454 SHARDLOW ROAD ASTON ON TRENT DERBY

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

The Planning Services Manager presented the report to the Committee updating Members that since publication of the report, correspondence had been received from the Derbyshire Gypsy Liaison Group which was read to the Committee. The Planning Services Manager explained the application as finely balanced, where the need to meet the five-year supply of deliverable gypsy sites required consideration against the issues raised in relation to the visual and environmental impact of the proposed site.

An objector and the applicant's agent attended the Meeting and addressed Members on this application.

Councillor Watson addressed the Committee as one of the local Ward Members, raising concern in relation to the visual intrusion of the site, road safety and further highlighted that, in his opinion; statistics demonstrated that the five-year supply would be met by this Council with or without the inclusion of this site. The Councillor urged the Committee to overturn the Officer's recommendation and proposed that the application be refused.

Members sought clarification on the five year supply of gypsy sites querying where this was being documented. The Planning Services Manager addressed the matter explaining that as with housing supply, the provision of such sites would need to meet identified need on a rolling five-year basis. A suggestion was offered by the Planning Services Manager to submit a report to the Environmental and Development Services Committee proposing a Development Plan Document.

Further discussion ensued in relation to the impact of the proposed site on the local landscape and amenities. The proposal to overturn the Officer's recommendation and to refuse the application was carried by the Committee.

RESOLVED:-

That contrary to the recommendation in the report of the Strategic Director (Service Delivery), the Committee resolved that planning permission be refused, with delegated authority to the Planning Services Manager to construct a reason for refusal in accordance with Members' instructions.

Abstentions: Councillor Mrs Brown and Councillor Dr. Pearson

PL/92 **A CHANGE OF USE FROM EQUESTRIAN LAND TO RESIDENTIAL GYPSY CARAVAN SITE WITH ONE PITCH AT LAND AT SK2913 6212 ACRESFORD ROAD NETHERSEAL SWADLINCOTE**

A proposal to defer the application in order to conduct a site visit was withdrawn on the advice of the Planning Services Manager.

The Planning Delivery Team Leader presented the report to Committee.

An objector and the applicant's agent attended the Meeting and addressed Members on this application.

Councillor Grant attended the Meeting as local Ward Member and addressed the Committee raising concern in relation to the visual intrusion of the site on the local landscape and character, the related sewerage works and enforcement.

Clarification was sought and provided on the requirement of the site and permitted development rights. It was proposed that a condition be imposed to ensure sewerage works be completed before occupation of the site. Delegated authority was sought in order to make the relevant changes to address these concerns.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), with delegated authority to the Planning Services Manager, to amend Condition 7 requiring sewer connection prior to occupation.

Abstention: Councillor Mrs Brown

PL/93 **THE ERECTION OF 100% AFFORDABLE HOUSING DEVELOPMENT FOR 22 DWELLINGS CONSISTING OF 3 NO TWO BED BUNGALOWS, 4 NO TWO BED HOUSES, 15 NO THREE BED HOUSES AND ASSOCIATED WORKS ON LAND AT STALEY CLOSE SWADLINCOTE**

The Planning Delivery Team Leader presented the report updating the Committee that a representation had been received from Environmental Health and proposed amendments to Conditions 7 and 12 within the report.

Clarification was sought in relation to the layout and location of the bungalows on the site which was provided by the Planning Delivery Team Leader.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery) subject to amendments to Condition 7 and 12.

Abstention: Councillor Mrs Brown

- PL/94 **ERECTION OF AN ACCOUSTIC BARRIER AROUND THE PERIMETER OF THE MARQUEE AT ROSLISTON FORESTRY CENTRE BURTON ROAD ROSLISTON SWADLINCOTE**

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

- PL/95 **THE VARIATION OF CONDITIONS 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 AND 15 OF PLANNING PERMISSION REF: 9/2015/1092 (RELATING TO THE ERECTION OF 6 TWO BEDROOM HOUSES WITH ASSOCIATED PARKING GARDENS AND ACCESS) TO AMEND THE APPROVED PLANS (CONDITION 2), TO AMEND THE PROPOSED MATERIALS (CONDITION 3), THE PROVISION OF SURFACE WATER DRAINAGE DETAILS (CONDITION 4), THE PROVISION OF A CONSTRUCTION MANAGEMENT PLAN (CONDITION 5), DETAILS OF LIKELY CONTAMINATION (CONDITION 6), TO AMEND TEMPORARY ACCESS DETAILS (CONDITION 7), TO AMEND POSITION OF PLANT AND MATERIALS (CONDITION 8), DETAILS OF WHEEL WASHING (CONDITION 9), TO AMEND FOOTWAY DETAILS (CONDITION 10), THE PROVISION OF VEHICULAR ACCESS DETAILS (CONDITION 11), TO AMEND PARKING LAYOUT (CONDITION 12), TO AMEND BOUNDARY TREATMENT DETAILS (CONDITION 14) AND TO AMEND LANDSCAPING DETAILS (CONDITION 15) AT LAND AT SK2915 0614 LULLINGTON ROAD OVERSEAL SWADLINCOTE**

The Planning Services Manager updated the Committee that since publication of the report, no objections had been received from the Parish Council and delegated authority was being sought in order to address the comments raised by the Highways Authority in relation to Condition 8 within the report.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery) with delegated authority to amend Condition 8.

- PL/96 **DEMOLITION OF EXISTING GARAGE AND PART OF FRONTAGE WALL AND CONVERSION OF EXISTING OUTBUILDING TO FORM A RESIDENTIAL DWELLING AT 31 CHAPEL STREET TICKNALL DERBY**

The Planning Services Manager presented the report to Committee advising that the application had been previously deferred by the Committee for an independent engineer's report. The findings of the report meant that officers could no longer maintain the original recommendation. The applicant had since appealed against non-determination and therefore only the opinion of the Committee was now being sought by officers.

An objector to the application attended the Meeting and addressed Members on this application.

RESOLVED:-

That an objection be endorsed as recommended in the report of the Strategic Director (Service Delivery).

PL/97 **RELEVANT DEMOLITION CONSENT FOR DEMOLITION OF EXISTING GARAGE AND PART OF FRONT BOUNDARY WALL AT 31 CHAPEL STREET TICKNALL DERBY**

An objector to the application attended the Meeting and addressed Members on this application.

Members raised concerns in relation to the demolition of the wall but no objection was raised in relation to the demolition of the garage

RESOLVED:-

That no objection for the demolition of the garage be endorsed as recommended in the report of the Strategic Director (Service Delivery), with delegated authority to offer an objection to the demolition of the wall.

PL/98 **HIGHWAYS ENGLAND A38 DERBY JUNCTIONS SCHEME, PLANNING ACT 2008 SECTION 42 NSIP CONSULTATION**

RESOLVED:-

1.1 The Committee approved that the Council response to the consultation expresses support for the proposed scheme as it will:

(i) Provide additional highway capacity needed to enable the development of land allocated in the South Derbyshire Local Plan for new housing; and

(ii) Improve the reliability of journey times for traffic using the A38 thereby assisting in the attraction and retention of business investment in South Derbyshire.

PL/99 **NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL NEIGHBOURING AUTHORITY PLANNING APPLICATION CONSULTATION: APPLICATION FOR THE DEVELOPMENT OF A DISTRIBUTION CAMPUS WITH**

ASSOCIATED AND OTHER ANCILLARY USES, ON LAND AT M42, JUNCTION 11 STRETTON-EN-LE-FIELD LEICESTERSHIRE

RESOLVED:-

1.1 The Committee approved that the comments set out in Section 4, "Conclusions", of the report be submitted to North West Leicestershire District Council as this Council's response to the consultation.

PL/100 PROPOSED TREE PRESERVATION ORDER 492 – FORMER ALLOTMENTS, GRESLEY WOOD ROAD, CHURCH GRESLEY

RESOLVED:-

The Committee approved that the tree preservation order be confirmed.

PL/101 PROPOSED TREE PRESERVATION ORDER 493 – LAND AT DOLES LANE, FINDERN

RESOLVED:-

The Committee approved that the tree preservation order be confirmed.

PL/102 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 17th July 2018 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 8.30pm.

COUNCILLOR MRS L BROWN

OVERVIEW AND SCRUTINY COMMITTEE

17th October 2018

PRESENT:-

Conservative Group

Councillor Swann (Chairman) and Mrs Wyatt (Vice-Chairman) and
Councillors Atkin, Murray, and Mrs Patten

Labour Group

Councillors Bambrick and Dr Pearson

OS/22 **APOLOGIES**

Apologies were received from Councillor Mrs Stuart (Labour Group)

OS/23 **MINUTES**

The Open Minutes of the Meetings held on 20 June 2018 were taken as read, approved as a true record and signed by the Chairman.

OS/24 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

The Committee was informed that no declarations had been received.

OS/25 **QUESTIONS RECEIVED BY 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.

OS/26 **QUESTIONS RECEIVED 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.

OS/27 **HOUSING ALLOCATIONS AND TENANCY MANAGEMENT SERVICES FOR VULNERABLE PEOPLE**

The Housing Services Manager presented the report to Committee.

Councillor Mrs Pattern made reference to a review being undertaken to the Allocations Policy relating to the over 60s. The Housing Services Manager

confirmed that a review will be undertaken of the Allocations Policy and that he will also be considering the provision for a Local Lettings Policy.

Councillor Mrs Patten raised the issue of Estate Walks of Member wards. The Strategic Director (Service Delivery) confirmed that this was being reviewed and will be looking at mapping the Land assets electronically to enable all Members access and will make the reporting system simpler.

RESOLVED:-

The Committee noted the range of services provided by the Housing Service to a wide range of vulnerable tenants and their families.

OS/28 **TACKLING LITTER ACROSS THE DISTRICT**

The Strategic Director (Service Delivery) presented the report to Committee.

RESOLVED:-

- 1.1 The Committee noted the current work of the Council in tackling litter across the District that support the ambitions of the Government's Litter Strategy published in April 2017.***
- 1.2 The Committee welcomed proposals to further curb litter within the District through education and awareness raising, partnership working, infrastructure improvements and enforcement activity.***
- 1.3 The Committee considered the resource implications of further investment in tackling litter across the District.***

OS/29 **COMMITTEE WORK PROGRAMME**

RESOLVED:-

Members considered and approved the updated work programme.

OS/30 **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 was informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 7.35pm

COUNCILLOR S SWANN

CHAIRMAN

PLANNING COMMITTEE

6th November 2018

PRESENT:-

Conservative Group

Councillor Mrs Brown (Chairman), Councillor Mrs Coe (Vice-Chairman) and Councillors Ford, MacPherson (substituting for Cllr Harrison), Muller Stanton and Watson

Labour Group

Councillors Dr Pearson, Shepherd, Southerd and Tilley

PL/105 **APOLOGIES**

Apologies for absence were received from Councillors Harrison (Conservative Group) and Councillors Coe and Tipping (Independent / Non Grouped Member)

PL/106 **DECLARATIONS OF INTEREST**

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

PL/107 **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/108 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) 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/109 **THE CHANGE OF USE OF VACANT GYMNASIUM (USE CLASS D2) TO BAR AND RESTAURANT (USE CLASS A3/A4) WITH ALTERATIONS INCLUDING RAILINGS, WINDOWS/DOORS, REAR STAIRS, A REAR**

TERRACED AREA, REAR CANOPY AND A 2.5M HIGH REAR BOUNDARY WALL AT 71 DERBY ROAD MELBOURNE DERBY

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

The Planning Services Manager presented the report to Committee and requested that consideration be made by the Committee to add a Condition for the applicant to supply further details in relation to the roof and canopy in the garden.

An objector and the applicant attended the Meeting and addressed Members on this application.

Two statements had been received from local Ward Members, Councillors Harrison and Hewlett, which were read by the Planning Services Manager. Councillor Harrison raised concerns relating to an existing inadequate parking issue in the village and expressed disappointment that the parking provision opposite the site had been withdrawn. In the second statement, Councillor Hewlett endorsed the previously mentioned parking concerns and felt that the use of the site opposite would adequately address these concerns.

Some Members raised concern in relation to privacy for neighbouring residents in relation to the rear garden and requested that the height of the wall at the rear of the building be raised in order to address this.

A discussion ensued in relation to parking where some Members raised this as a concern and another disagreed, commenting that attitudes to driving had changed in recent years, where the increased use of taxis could mean that parking may not be an issue.

Clarification was sought on opening hours and whether the building is listed; the Planning Services Manager advised that the site is in a conservation area, but the building is not listed. The Committee agreed to leave the matter of opening hours to the licensing process.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), with delegated authority to include an extra condition to raise the height of the wall adjacent to the external staircase and an informative advising on hours of opening. The Planning Services Manager was separately tasked with exploring the possibility for securing parking on corner of Queensway/Derby Road.

Abstention: Councillor Stanton

PL/110 **THE VARIATION OF CONDITIONS 3, 6 AND 29 OF PERMISSION REF. 9/2015/1063 (RELATING TO OUTLINE APPLICATION (ALL MATTERS TO BE RESERVED) FOR THE ERECTION OF UP TO 70 DWELLINGS WITH**

ASSOCIATED PUBLIC OPEN SPACE, SUSTAINABLE DRAINAGE AND LANDSCAPING) ON LAND AT SK2914 7590 ACRESFORD ROAD OVERSEAL SWADLINCOTE

The Planning Delivery Team Leader presented the report to Committee updating Members on further consultation responses received from the National Forest and Parish Council, where the Parish Council raised concerns in relation to the connection of the proposed site to the village. The Planning Delivery Team Leader explained the design, layout, drainage and landscaping of the proposed site.

The Planning Delivery Team Leader advised that since the previous outline permission had been granted, a number of comments were raised in relation to ground conditions on the site. The Committee was informed that subsequent due diligence was undertaken by the Applicant where it was found that there were areas of concern. Members were advised that in order to address these concerns, the layout had to be rearranged. The Planning Delivery Team Leader advised that due to the extent of abnormal costs incurred by unforeseen ground conditions, the amount of affordable housing on the site would have to be reduced to 10%, as endorsed by the District Valuer.

Some members of the Committee shared disappointment over the reduction in the affordable housing allocation whilst recognising the necessary solution provided by the applicant to address the ground condition concerns.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

PL/111 **APPROVAL OF RESERVED MATTERS OF OUTLINE PERMISSION REF. 9/2015/1063 ON LAND AT SK2914 8297 ACRESFORD ROAD OVERSEAL SWADLINCOTE**

This application was impacted by the decision made on the previous Item. Following the decision made on the previous application, the Planning Delivery Team Leader sought delegated authority to amend the description and Conditions 1 and 6.

Some Members of the Committee sought clarification on the design, layout of the buildings and landscaping, requesting that the boundary hedge be retained.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), with delegated authority to amend the description to reflect the previous resolution on Item 1.2 of the Agenda and to adjust Conditions 1 and 6 to reflect the approved plans list and new footpaths within the site.

PL/112 **CONVERSION OF EXISTING TIMBER FRAME BARN TO A DWELLING AT NUTWOOD UNNAMED ROAD LEADING TO ST BRIDES FARM STANTON BY BRIDGE DERBY**

The Planning Delivery Team Leader presented the report to Committee, explaining the proposal to convert the barn.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

PL/113 **THE ERECTION OF REPLACEMENT ENTRANCE GATES AT 94 LONDON ROAD SHARDLOW DERBY**

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

PL/114 **PROPOSED TREE PRESERVATION ORDER 497 – LAND TO REAR OF 42 & 44 MAIN STREET, NEWTON SOLNEY**

The Planning Services Manager presented the report to Committee informing Members that the Council's Tree Officer had advised that the hedge included Lime and Oak trees.

Some Members questioned the need for a tree preservation order on a hedge, and were advised by the Planning Services Manager that latest planning practice guidance identified that trees in hedges should be considered for orders including those that have been allowed to grow in the hedge.

RESOLVED:-

That the Tree Preservation Order be confirmed.

Abstention: Councillors MacPherson and Stanton

PL/115 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it 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 7.40pm.

COUNCILLOR MRS L BROWN

CHAIRMAN

LICENSING AND APPEALS SUB-COMMITTEE

8th November 2018 at 10.00am

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillor Mrs Patten (Chairman), Councillor Stanton (Conservative Group) and Councillor Richards (Labour Group)

District Council Representatives

A Kaur (Legal and Democratic Services Manager)

Following a late request submitted by Unite Union, the Meeting was opened at 10am and adjourned until 2pm.

LAS/27 **APOLOGIES**

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

LAS/28 **DECLARATION OF INTEREST**

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

MATTERS DELEGATED TO SUB-COMMITTEE

LAS/29 **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.

APPEAL AGAINST DISMISSAL (Paragraph 2)

The Sub-Committee considered an appeal against dismissal.

The Meeting terminated at 5:05pm.

COUNCILLOR MRS J PATTEN

LICENSING AND APPEALS SUB-COMMITTEE

14th November at 10.00am

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillor Mrs Patten (Chairman), Councillor Muller (Conservative Group) and Councillor Tipping (Independent/Non-Grouped Member)

District Council Representatives

S Ali (Principal Legal Officer), M Lomas (Licensing Officer) and R Pabla (Democratic Services Officer)

LAS/31 **APOLOGIES**

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

LAS/32 **DECLARATION OF INTEREST**

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

MATTERS DELEGATED TO SUB-COMMITTEE

LAS/33 **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.

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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.

The Meeting terminated at 2.30pm.

COUNCILLOR MRS J PATTEN

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

15th November 2018

PRESENT:-

Conservative Group

Councillor MacPherson (Chairman), Councillor Roberts (Vice-Chairman) and Councillors Billings, Mrs Brown, Mrs Coe, Mrs Patten, Pegg and Watson

Labour Group

Councillors Dunn, Rhind (substituting for Cllr Taylor), Shepherd (substituting for Cllr Chahal) and Tilley

Independent/ Non-Grouped Member

Councillor Coe

EDS/58 **APOLOGIES**

Apologies for absence were received from Councillors Chahal and Taylor (Labour Group)

EDS/59 **MINUTES**

The Open Minutes of the Meeting held on 27th September 2018 were noted, approved as a true record and signed by the Chairman.

EDS/60 **DECLARATIONS OF INTEREST**

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

EDS/61 **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/62 **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/63 **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE**EDS/64 CORPORATE PLAN 2016-21: PERFORMANCE REPORT (1 JULY – 30 SEPT 2018)**

The Strategic Director (Service Delivery) presented the quarterly report to Committee detailing targets and achievements.

RESOLVED:

1.1 The Committee considered progress against performance targets set out in the Corporate Plan.

1.2 The Risk Register and Action Plan for the Committee's services were reviewed.

EDS/65 KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT

The Senior Licensing Officer presented the report outlining the performance of the Licensing Department, which was welcomed by the Committee.

RESOLVED:

The Committee noted the performance of the Licensing Department in relation to the Key Performance Indicators

EDS/66 GYPSY AND TRAVELLER SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT

The Planning Policy Manager presented the report to Committee explaining that the document would assist in future site allocations.

Members raised comment in relation to the importance of this document and sought clarification on the allocation of sites within the District questioning the criteria involved in the selection of sites. The Planning Policy Manager responded with the pitch requirement for the current Gypsy and Traveller Accommodation Assessment in South Derbyshire, noting that the need for the first five-year period is determined through a detailed methodology, whilst that of future five-year periods is derived from projections based on survey data. Members were advised that government guidance acknowledges that accurate projections of future needs (beyond the first five years) are likely to be more difficult due to how the circumstances of travellers change.

RESOLVED:

The Committee approved commencement on the Sustainability Appraisal Scoping Report for the Gypsy and Traveller Site Allocations Development Plan Document.

EDS/67 SWADLINCOTE TOWN CENTRE VISION – PROGRESS REVIEW

Page 138 of 189

The Economic Development Manager presented the report to Committee updating Members on progress on the implementation of the Swadlincote

Town Centre Vision and Strategy. The Economic Development Manager highlighted outstanding actions and identified priorities for the remaining period.

Councillor Mrs Coe welcomed the update and referred to the increase in footfall in the Town Centre on market days noting that the appearance and appeal of the market required addressing.

Councillor Tilley, as the local Ward Member, whilst welcoming the report, identified the following areas of concern; the vitality of the town centre, the need for another more current survey be completed, the need for a Town Centre Manager, the condition of the street scene, the paving on the Delph and the need for CCTV to assist with prevention of anti-social behaviour. The Economic Development Manager responded to the concerns raised.

Councillor Coe, as the other Ward Member sought clarification on the strategy being used in order to encourage new residents to visit the Town Centre. Committee was informed that new residents receive leaflets and publicising upcoming events such as the Christmas Lights also assists in increasing footfall.

RESOLVED:

The Committee noted progress to date in the implementation of the Swadlincote Town Centre Vision and Strategy.

Councillor Pegg left the Meeting at 6.50pm

EDS/68 **GRIT BIN PROVISION POLICY**

The Direct Services Manager presented the report to Committee explaining the proposed Policy and criteria for dealing with requests within the District to provide additional grit bins. The Direct Services Manager outlined the process in identifying suitable locations and the involvement of Derbyshire County Council for subsequent provision.

Members welcomed the report, particularly the focus on provision in unparished areas of the District, and sought clarification on associated cost and impact on current provision, which were addressed by the Strategic Director.

RESOLVED:

The Committee approved the adoption of the Grit Bin Policy (Appendix 1) for the future provision of grit bins in South Derbyshire.

EDS/69 **COMMITTEE WORK PROGRAMME**

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/70 **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 27th September 2018 were received.

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

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

The meeting terminated at 7.05pm

COUNCILLOR A MACPHERSON

CHAIRMAN

HOUSING AND COMMUNITY SERVICES COMMITTEE

22nd November 2018

PRESENT:-

Conservative Group

Councillor Hewlett (Chairman) and Councillors Dr. Coyle, Ford (substituting for Councillor Smith), Pegg (substituting for Councillor Mrs Wyatt) Grant, Roberts, Stanton and Watson

Labour Group

Councillors Rhind, Richards, Shepherd and Wilkins

Independent / Non-Grouped Member

Councillor Tipping

HCS/46 **APOLOGIES**

Apologies for absence were received from Councillors Smith and Mrs Wyatt (Conservative Group) and Councillor Coe (Independent/ Non-Grouped Member)

HCS/47 **MINUTES**

The Open Minutes of the Meeting held on 4th October 2018 were noted, approved as a true record and signed by the Chairman.

HCS/48 **DECLARATIONS OF INTEREST**

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

HCS/49 **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.

HCS/50 **QUESTIONS FROM MEMBERS OF COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

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

HCS/51 **REPORTS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE**HCS/52 CORPORATE PLAN 2016-21: PERFORMANCE REPORT (1 JULY – 30 SEPT 2018)**

The Strategic Director (Service Delivery) presented the report to Committee highlighting the amended Risk Register and Action Plan to allow closer monitoring of risk areas.

Councillor Grant expressed concern with the areas flagged in red within the appendices to the report seeking further clarification. The Housing Services Manager addressed these concerns and advised that a stock condition survey was being undertaken in order to review and monitor this area.

RESOLVED:-

1.1 The Committee considered progress against performance targets set out in the Corporate Plan.

1.2 The Committee reviewed the Risk Register and Action Plan for the Committee's services.

HCS/53 CONTRIBUTION TO ACTIVE DERBYSHIRE

The Strategic Director (Service Delivery) presented the report, which was welcomed by the Committee.

RESOLVED:-

1.1 The Committee approved a financial contribution to Active Derbyshire for 2018/19 of £12,191 for the delivery of outcomes set out in a Service Level Agreement with the Council.

1.2 The Committee approved, in principle, to the above sum also being made in 2019/20 and 2020/21 subject to Service Level Agreement outcomes being met and the financial position being able to sustain this contribution.

HCS/54 COMMUNITY PARTNERSHIPS SCHEME

The Community Partnership Officer (Ian Hey) presented the report to Committee.

RESOLVED:-

The Committee accepted the recommendations of the Community Partnership Scheme Assessment Panel, to award grants as detailed in section 4.19 of the report.

HCS/55 **SOUTH DERBYSHIRE DISTRICT COUNCIL SURVEILLANCE POLICY**

The Communities Manager presented the report to Committee explaining the proposed Policy.

Clarification was sought and provided on the use of surveillance at domestic properties, and the length of time such evidence is retained.

RESOLVED:-

The Committee adopted the new South Derbyshire District Council Surveillance Policy as attached to the report.

HCS/56 **LEASEHOLDER HANDBOOK**

The Performance and Policy Manager presented the report to Committee.

RESOLVED:-

The Committee approved the new Council Leaseholder Handbook.

HCS/57 **STAR SURVEY 2018**

The Performance and Policy Manager presented the report to Committee explaining the findings of the tenant satisfaction Survey of Tenants and Residents (STAR) survey which was concluded in August 2018. The Committee was advised that a meeting between Officers and the Tenants' Panel would take place to analyse the full STAR 2018 results ahead of a workshop with officers, tenants and BMG Research, the consultants that undertook the survey, in order to identify and agree actions to support the continuing work.

RESOLVED:-

The Committee noted the findings of the satisfaction Survey of Tenants and Residents (STAR) survey.

HCS/58 **COMMITTEE WORK PROGRAMME****RESOLVED:-**

The Committee considered and approved the updated Committee Work Programme including the amendment to submit the reports titled 'STAR Survey Action Plan' and 'Housing Core Benchmarking' to the Committee scheduled for 7th March 2019.

HCS/59 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)****RESOLVED:-**

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

Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 4th October 2018 were received.

**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.

**DIRECT ACQUISITION OF COUNCIL HOUSING AT CADLEY PARK
(Paragraph 2)**

The Committee approved the recommendation in the report.

EXTENSION OF CONTRACT – PARKLIFE OFFICER (Paragraph 1)

The Meeting terminated at 7.00pm.

COUNCILLOR J HEWLETT

CHAIRMAN

PLANNING COMMITTEE

27th November 2018

PRESENT:-

Conservative Group

Councillor Mrs Brown (Chairman), Councillor Mrs Coe (Vice-Chairman) and Councillors Harrison, Hewlett (substituting for Councillor Ford), Muller, Stanton and Watson

Labour Group

Councillors Dr Pearson, Shepherd, Southerd and Tilley

PL/116 **APOLOGIES**

Apologies for absence were received from Councillor Ford (Conservative Group) and Councillors Coe and Tipping (Independent / Non Grouped Member)

PL/117 **MINUTES**

The Open Minutes of the Meetings held on 25th September 2018 were taken as read, approved as a true record and signed by the Chairman.

PL/118 **DECLARATIONS OF INTEREST**

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

PL/119 **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/120 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) 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/121 **APPROVAL OF RESERVED MATTERS FOR ACCESS, LAYOUT, SCALE, APPEARANCE AND LANDSCAPING OF OUTLINE PERMISSION REF. 9/2014/0888 IN SO FAR AS THE ACCESS ROUNDABOUT, SPINE ROAD, GREEN INFRASTRUCTURE, OPEN SPACE AND DRAINAGE ON LAND AT SK2819 1873 (SITE C) WILLIAM NADIN WAY SWADLINCOTE**

The Senior Planning Officer presented the report and informed Committee that updates had been received since the report's publication, namely the landscaping scheme had been revised with no objections from the National Forest. Delegated authority was being sought to secure the approval of final details of the surface water drainage scheme.

The applicant's agent attended the Meeting and addressed Members on this application.

Members raised concerns regarding lack of information of gas generation from the landfill and requested that the Planning Services Manager write to the County Highway Authority regarding revision of the speed limit on William Nadin Way.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), with delegated authority to approve final drainage details.

PL/122 **THE VARIATION OF CONDITIONS 1 & 3 OF PLANNING PERMISSION REF: 9/2018/0503 (RELATING TO THE RETENTION OF A SUN CANOPY (REVISED SCHEME TO THAT APPROVED UNDER PERMISSION REF. 9/2017/1357) AT 11 THE GREEN WILLINGTON DERBY**

The Planning Services Manager presented the report to Committee.

An objector attended the Meeting and addressed Members on this application.

The Chairman read a statement submitted by Councillor Ford, Ward Member for Willington and Findern, commenting on the concerns raised by local residents regarding the impact of the structure, lighting and increase in noise. The Councillor requested that Committee give consideration for granting temporary permission for twelve months in order to address any issues prior to full permission being granted.

Other Members raised queries regarding the level of proposed lumination, placement of the lights, and raised concerns regarding the applicant's compliance to the original planning conditions and the possibility additional lighting would encourage anti-social behaviour. All matters were addressed by the Planning Services Manager.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), with the additional condition planning permission is granted on a temporary basis for six months once installed to monitor the effects of the lighting.

PL/123 THE FELLING AND PRUNING OF TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NUMBER 132 AT WILSON CLOSE MICKLEOVER DERBY

The Planning Services Manager presented the report to Committee.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

PL/124 THE CROWN LIFTING OF FOUR SYCAMORE TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NUMBER 65 ON LAND TO THE REAR OF GEORGE NEWBERRY PLACE CHURCH GRESLEY SWADLINCOTE

The Planning Services Manager presented the report to Committee.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

PL/125 PLANNING AND OTHER APPEALS

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

9/2017/0196	Grove Close, Thuston, Derbyshire
9/2017/0797	Main Street, Repton, Derbyshire
9/2017/1296	Commonpiece Land, Cropper, Etwall, Derbyshire

PL/126 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 6.55pm

COUNCILLOR MRS L BROWN

CHAIRMAN

FINANCE AND MANAGEMENT COMMITTEE

29th November 2018

PRESENT:-

Conservative Group

Councillor Harrison (Chairman) and Councillor Watson (Vice-Chairman) and Councillors Ford, Billings, Mrs Coe, Hewlett, Patten (substituting for Councillor Dr Coyle), and Pegg (substituting for Councillor Smith)

Labour Group

Councillors Rhind, Richards, Southerd and Taylor

FM/89 **APOLOGIES**

Apologies were received from Councillors MacPherson, Smith and Dr Coyle (Conservative Group).

FM/90 **MINUTES**

The Open Minutes of the Meetings held on 11th October 2018 were taken as read, approved as a true record and signed by the Chairman.

FM/91 **DECLARATIONS OF INTEREST**

Councillor Mrs Coe declared a pecuniary interest in Item 23 by virtue of being a Trustee of Sharpe's Pottery Heritage and Arts Trust advising that she would leave the Chamber whilst the Item was being discussed.

Councillor Mrs Patten declared a pecuniary interest in Item 23 by virtue of being a Trustee of Sharpe's Pottery Heritage and Arts Trust advising that she would leave the Chamber whilst the Item was being discussed.

FM/92 **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/93 **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/94 **REPORTS OF OVERVIEW AND SCRUTINY COMMITTEE**

The Committee was informed that no reports had been received.

MATTERS DELEGATED TO COMMITTEE

FM/95 **CORPORATE PLAN 2016-21: PERFORMANCE REPORT
(1 JULY – 30 SEPT 2018)**

The Strategic Director (Corporate Resources) presented the report to Committee, making particular reference to sickness absences and benefits processing as both not performing to targets due to longer term sickness rates and summer staff changes impacting on processing timescales.

Councillor Richards requested a review of how the figures are presented to the Committee in the future and the Strategic Director (Corporate Resources) noted the request.

RESOLVED:

1.1 The Committee considered the progress against performance targets set out in the Corporate Plan.

1.2 The Committee reviewed the Risk Register and Action Plan for the Committee's services.

FM/96 **BUDGET and FINANCIAL MONITORING 2018/19**

The Strategic Director (Corporate Resources) presented the report to Committee, drawing attention to the General Fund, which was generally on target. However a recent court ruling on Business Rates could negatively impact the budget, as well as the on-going increase in Right to Buy, which continue to be higher than forecast.

RESOLVED:

1.1 The Committee considered and approved the latest budget and financial position for 2018/19 as detailed in the report.

FM/97 **TREASURY MANAGEMENT UPDATE 2018/19**

The Strategic Director (Corporate Resources) presented the report to Committee, noting the report detailed the Council's ranking against other Local Authorities. The Council maintained a healthier credit score due to lower risk investments, but was achieving slightly lower interest rates.

RESOLVED:

1.1 The Committee considered and approved the latest Treasury Management Update for quarter 2 2018/19 as detailed in Appendix 1.

1.2 The Committee approved the updated Counterparty List for investments and bank deposits as detailed in Appendix 2.

FM/98 COMMENTS, COMPLIMENTS, COMPLAINTS & FREEDOM OF INFORMATION REQUESTS - 01 APRIL 2018 TO 30 SEPTEMBER 2018

The Strategic Director (Corporate Resources) presented the report to Committee, commenting complaints and compliments had increased during the previous six months. Freedom of Information requests had also continued to rise with over 100 additional requests received compared to the same period in 2017.

Councillor Richards queried if an analysis of the complaints received is available, especially to ascertain whether any trends could be established. The Strategic Director (Corporate Resources) responded to the query, noting the challenges of capturing such themes, but highlighting the frequency of complaints and compliments over the years have ebbed and flowed.

RESOLVED:

- 1.1 The Committee considered and noted the comments, compliments, complaints and FOI requests, as detailed in the report.***

FM/99 SUNDRY DEBT MANAGEMENT POLICY

The Strategic Director (Corporate Resources) presented the report to Committee, noting the overall policy applies only to Sundry Debt to help those collecting the debts by providing flexibility for staff in responding to those debtors who cannot, compare to will not pay.

The Chairman proposed an amendment to the Policy requesting that the line 'Credits less than £5.00 will not be refunded' be removed as it was felt that any monies owed should be refunded, regardless of value. The amendment was carried by the Committee.

RESOLVED:

- 1.1 The Committee approved the Sundry Debt Management, Recovery and Write-off Policy in Appendix 1 for implementation from 1st December 2018, with the deletion of the sentence 'Credits less than £5.00 will not be refunded' from Section 12 of the Policy.***
- 1.2 The Committee approved for an annual review of the Policy be undertaken and any significant changes are reported to this Committee.***

FM/99 LOCAL COUNCIL TAX REDUCTION SCHEME REGULATIONS

The Strategic Director (Corporate Resources) presented the report to Committee, outlining that it is at the discretion of the Committee to adopt the changes to the Local Scheme under the national benefit regulations.

The Chairman expressed to the Committee the existing regulations should be maintained without implementing a two child limit. Councillor Richards supported this view in light of child poverty levels.

The proposed amendment to maintain the status-quo was carried by the Committee.

RESOLVED:

1.1 The Committee resolved to maintain the current Local Council Tax Reduction Scheme Regulations (South Derbyshire) without placing a two child limit within the calculation of support

FM/100 **EQUALITIES POLICY STATEMENT AND CORPORATE EQUALITIES AND SAFEGUARDING GROUP TERMS OF REFERENCE**

The Strategic Director (Corporate Resources) presented the report to Committee, noting the updated Terms of Reference.

RESOLVED:

1.1 The Committee approved the updated Equalities Policy Statement.

1.2 The Committee approved the updated Terms of Reference for the Corporate Equalities and Safeguarding Group.

FM/102 **COMMITTEE WORK PROGRAMME**

RESOLVED:

The Committee considered and approved the updated work programme.

FM/103 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

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

MINUTES

The Exempt Minutes of the Meeting held on 11th October 2018 were received.

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.

DIRECT ACQUISITION OF COUNCIL HOUSING AT CADLEY PARK

The Committee approved the recommendations in the report.

THE FUTURE OF BUILDING CONTROL – UPDATE

The Committee approved the recommendations in the report.

EXTENSION OF CONTRACT – PARKLIFE OFFICER (DS97)

The Committee approved the recommendations in the report.

REVIEW OF UNIT AND NEW POST OF STREET NAMING & LLPG OFFICER

The Committee approved the recommendations in the report.

DEBTS SUBMITTED FOR WRITE OFF

The Committee approved the recommendations in the report.

SHARPE'S POTTERY MUSEUM

The Committee approved the recommendations in the report.

A REVIEW OF THE COUNCIL'S MANAGEMENT STRUCTURE

The Committee unanimously approved the recommendations in the report.

The meeting terminated at 7:45pm.

COUNCILLOR J HARRISON

CHAIRMAN

LICENSING AND APPEALS SUB-COMMITTEE

5th December at 10.00am

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillor Stanton (Chairman), Councillor Watson (Conservative Group), and Councillor Dunn (Labour Group)

District Council Representatives

A Kaur (Legal and Democratic Manager), E McHugh (Senior Licensing Officer), R Pabla (Democratic Services Officer) and S Irvine (Democratic Services Officer - Observing)

LAS/39 **APPOINTMENT OF CHAIRMAN**

Councillor Stanton was appointed Chairman of the Sub-Committee.

LAS/40 **APOLOGIES**

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

LAS/41 **DECLARATION OF INTEREST**

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

MATTERS DELEGATED TO SUB-COMMITTEE

LAS/42 **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.

The Meeting terminated at 11.00am

COUNCILLOR STANTON

CHAIRMAN

STANDARDS COMMITTEE

11th December 2018

PRESENT:-

Conservative Group

Councillor Harrison (Chairman), Councillor Atkin (Vice-Chairman) and Stanton

Labour Group

Councillor Dunn

Independent Persons

Mr P Purnell

SC/1 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Mrs Hall (Conservative Group), Councillor Dr Pearson (Labour Group) and Mr P Smith, Independent Person.

SC/2 **MINUTES**

The Open Minutes of the Meeting held on 9th November 2017 were noted, approved as a true record and signed by the Chairman.

SC/3 **DECLARATIONS OF INTEREST**

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

SC/4 **QUESTIONS BY 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.

SC/5 **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 SUB-COMMITTEE

SC/6 **SUMMARY OF COMPLAINTS**

The Committee received the Report summarising the formal complaints investigated by the Monitoring Officer and the action taken in each case. The Monitoring Officer noted there were a higher number of complaints received this year regarding District Councillors and Parish Councillors, with a majority

relating to Parish Councils. All complaints were determined in counsel with the Independent Persons and were outlined for the Committee in Annexe A.

Councillor Atkin queried at which point in the process an Independent Person is consulted in relation to a complaint. The Monitoring Officer addressed this by explaining the Independent Person is consulted and advised of the decision made.

Councillor Stanton sought clarification by which stage a Member would be informed a complaint had been made. The Monitoring Officer highlighted the different approaches taken with District Councillors and Parish Councillors. District Councillors would receive a telephone call from the Monitoring Officer prior to a letter being distributed outlining the complaint. The Monitoring Officer would write to a Parish Councillor to confirm receipt of a complaint outlining the next steps to manage expectations. Councillor Stanton noted his appreciation for how complaints are managed currently.

Councillor Harrison joined the Meeting at 18:05 and chaired the remainder of the Meeting.

Councillor Dunn questioned how complaints made out of vexation to cause trouble and anxiety are noted and handled. The Monitoring Officer addressed the query, outlining a Tit for Tat outcome is able to be utilised at the discretion of the Monitoring Officer. Councillor Atkin questioned if the Derbyshire Association of Local Councils was consulted or if matters were referred regarding Parish Councillors. The Monitoring Officer responded to the query, noting Parish Clerks may seek advice from the Derbyshire Association of Local Councils but are more often signposted back to the Monitoring Officer.

In relation to the minutes of the last Meeting of this Committee, Members sought clarification how information was disseminated to Parish Councillors and Clerks in the absence of a Parish Liaison meeting. The Monitoring Officer explained although the Parish Liaison meeting had been postponed, Parish Council Clerks and Parish Councillors have received letters outlining the complaints procedure under the Members' Code of Conduct as well as up to date training from the Derbyshire Association of Local Councils.

The Chairman suggested further Code of Conduct training for Members may be considered.

RESOLVED:-

1.1 Members noted the summary of complaints considered by the Monitoring Officer and Independent Persons.

The Meeting terminated at 6.15PM

COUNCILLOR J HARRISON

CHAIRMAN

SOUTH DERBYSHIRE AREA FORUM

SWADLINCOTE

Wednesday, October 24th, 2018 at Goseley Community Centre

PRESENT:-

South Derbyshire District Council representatives

Councillor Mrs Kim Coe (Chair), Councillor Robert Coe, Councillor Gordon Rhind, Councillor Trevor Southerd, Councillor Stuart Swann, Councillor Steve Taylor, Councillor Neil Tilley, Councillor Mrs Sandra Wyatt.

Kevin Stackhouse – Strategic Director (Corporate Services).

Ian Hey – Community Partnership Officer.

Tom Sloan – Clerk.

Derbyshire County Council representatives

Councillor Mrs Linda Chilton, Councillor Gary Musson, Councillor Stuart Swann.

Parish Council / Meeting representatives

Eric Parker, Don Redfern (Woodville Parish Council).

Police representatives

PC Stuart Kelly, PCSO Claire Robbins, PCSO Lee Walker.

Members of the public

Kate Allies, A Batchelor, Carl Barratt, C Bowley, Bridget Buchanan, Jenny Burley, R Causer, A Chower, Colin Dobson, C Eaton, G Fox, Ruth Frudd, Michael Hine, Mark Hunt (CVS), Helen Kreft (Burton Mail), Mick Lunn, J McEwan, Cathy Miles (CVS), Angie Musson, Maureen Mycock, T Rose, Dave Sharpe, Dot Shuttleworth, Lyndsay Taylor (SDDC Housing), Nigel Thorneloe, G Tubey, E Williams, K Wood.

SA/8

Open meeting

a. Introductions and apologies

Chris Horridge, Shirley Horridge, Ron Lane.

b. Declarations of interest

None.

c. Chair's announcements

Councillor Mrs Kim Coe reported on:

- Christmas bin collection plans.
- SDDC's Free Tree scheme.
- A Halloween event at Swadlincote Woodlands.
- Swadlincote's Christmas lights switch-on.
- SDDC's Local Green Spaces initiative.

d. To receive the minutes of the last meeting

The minutes were approved as a true and correct record.

SA/9 **Safer Neighbourhood report**

PC Stuart Kelly updated on an action from the previous meeting and reported that he had investigated reports of unsuitable drone usage on the Castleton Park estate and there had been no further reports.

PC Kelly reported that PCSO Dean Badham-Spalding had visited Ward's in Woodville to discuss the traffic issues resulting from the business. Attempts were being made to vary the waste delivery times. A resident replied that there was still an issue there every day. It was worse in the morning. Another resident added that vehicles from R Swain often arrived at the same time, making the problem much worse. The resident added that the site was no longer suitable for its use as a waste and recycling centre and should be moved.

PC Kelly gave an update on police activity in the area since the previous meeting. Shoplifting was still one of the main issues. It was linked to drug problems. Issues had died down with the main offenders locked up but a few were due for release so he expected the problems to recur. He asked for people to keep reporting thefts.

PC Kelly reported that numerous small cannabis grows had been unearthed in the Swadlincote area and it was an issue being combatted. There were not enough officers to carry out warrants on every cannabis grow, so officers would knock on doors when they smelt the drug. The problem with Mamba and Spice, which had proven a strain on Police and Ambulance resources, had lessened.

Councillor Robert Coe said that often calls for service went unanswered. PC Kelly apologised and guessed it had occurred when officers were busy with higher priority incidents. Councillor Coe claimed that some of the shops in Swadlincote High Street – including Greggs – would not report incidents because officers never responded. PC Kelly replied that he would visit Greggs and talk to the manager.

PCSO Claire Robbins reported that police were visiting Swadlincote Market and offering crime prevention advice. The next two markets being targeted were November 23rd and December 21st. There were ongoing anti-social behaviour (ASB) issues in the town centre. It had subsided but had reared its ugly head once more. PCSO Robbins encouraged any incidents to be reported via the non-emergency 101 hotline. PCSO Walker added that a senior officer from Police HQ would visit the Christmas market.

PCSO Walker reported that since the previous meeting a total of 17 vehicles had been taken off the roads for a range of offences, with the majority having no insurance. Two disqualified drivers had since been sent to prison and two drink-drivers dealt with. Work had been undertaken with the pubs to identify people driving while over the limit. An automatic number plate recognition (ANPR) operation was due to take place in William Nadin Way.

Local residents and Councillor Sandra Wyatt reported that residents of Brook Street, Swadlincote, were struggling to pull out onto Hearthcote Road because of parked cars. PCSO Walker replied that Police were looking at a new strategy to deal with problem parking. He would see if the location could be added to that. Councillor Wyatt added that parking was also a problem outside Woodville Surgery. PC Kelly said there was nothing on the road to indicate a driver could not park there.

A resident of Stanhope Road complained about their next-door neighbour parking a flatbed lorry in front of her house, reducing visibility as she attempted to get out of her drive. She had asked the neighbour not to park there but he responded by telling her he could park where he liked as long as he was not obstructing a dropped kerb. The resident had also recently had her car vandalised. PCSO Walker said he would investigate.

A Woodville resident complained that issues previously experienced in Eureka Park had now moved to Woodville Park. Residents of Bishops Gate had been affected by issues including door knocking, drug usage, threats and an assault. The resident asked where the Police response was? PC Kelly replied that the information would be used to inform a patrol strategy in the area.

Ian Hey reported that:

- A brief information leaflet had been produced by the Safer South Derbyshire Partnership around town centre ASB. It highlighted work which had been done and informed about how to report incidents to the authorities.
- ‘Prison Me? No Way!’ sessions were being put on once more in secondary schools across South Derbyshire, giving teenagers insight into life in jail.
- A campaign around child sexual exploitation entitled Say Something if You See Something was being supported by the partnership.
- A national helpline to combat online fraud – Action Fraud – had been set up.
- There had been two successful applications for funding from the Safer Neighbourhoods grant pot. The RSPCA shop in High Street, Swadlincote, had been given funds towards security gates and Gresley Old Hall money for CCTV.

Cathy Miles explained about the work the CVS undertook and reported that:

- The CVS had a grant pot for £2,000 for local organisations.
- The South Derbyshire Community Awards were taking place on November 22nd.

Mark Hunt explained the Safer Homes Scheme which was available to elderly and vulnerable residents. He would visit their home and carry out a free security check and carry out any improvements he saw fit to make a home more secure. Included were items like spy holes, door chains and window locks. Councillor Mrs Wyatt confirmed that Mr Hunt had visited her home and carried out a range of improvements which had made her feel much safer in her own home.

SA/11 **Local authority issues & public questions**

A resident asked when construction of the Woodville Regeneration Route would start. Kevin Stackhouse replied that a planning application was yet to go to committee.

A member of the public reported that High Street, Woodville, was closed at 10am on October 15th and traffic was diverted along Moira Road, which he felt was unsuitable. Kate Allies agreed that the situation was less than ideal. A resident said they believed it was an emergency closure by Severn Trent otherwise eight weeks’ closure notice would have been needed.

A resident of South Street, Woodville, had a long-running adoption issue with the road outside his house and vehicles turning in the street because of a set of bollards he felt were in the incorrect place. During the summer

hot weather, the dust created had been horrendous. Was there anything that Derbyshire County Council (DCC) could do for him? Councillor Gary Musson replied that he had undertaken numerous enquiries on the resident's behalf but had met with little success. There was little that DCC could do with regard to the unadopted status of the road. He was due to have a meeting with an officer to discuss the placement of the bollards and discover why they were in their current location.

A resident complained about the smell of sewage in Hearthcote Road, Swadlincote, around No 52. The smell was also bad in the High Street in the vicinity of the Birds bakery.

ACTION: Kevin Stackhouse to report issue to Phil Lenton and Environmental Health

A resident complained about footballs being kicked into gardens from Woodville Park because a net to keep them out was too short. Another Woodville resident said that it did not matter how far the netting went as balls went over the top. The first resident said they would write to Woodville Parish Council to pursue the matter.

A member of the public said that at the previous meeting of Swadlincote Area Forum, SDDC Chief Executive Frank McArdle had discussed the condition of the paving in the Delph. Furthermore, he said that he would bring the contractors to the table to find a solution. Had there been any progress? Mr Stackhouse replied that Mr McArdle was now taking more formal action with the contractors and an answer was awaited. The resident said whoever had signed the contract with the contractor was responsible. Why had they not been held to account in the past eight years? Why had they not been sued for breach of contract? The surface was dangerous with trip hazards and it could result in a serious problem. How much had been spent to make the surface safe in the previous eight years? Could a risk assessment be published showing what had been done? Another resident added that when the Swadlincote Christmas lights were switched on there would be hundreds if not thousands of people on the Delph with the surface in the condition it was. Mr Stackhouse said that at the previous meeting Mr McArdle had said the works should have been done sooner. Efforts were being made to sort the issue out. Councillor Steve Taylor backed what the original speaker regarding the Delph had said in terms of requesting specific information from the forum and hoped that he received it. Councillor Taylor said that the issue had been repeatedly raised and not addressed and that money was being spent in other parts of the district in line with the priorities of the current ruling group.

Councillor Robert Coe said he had reported the state of Rink Drive – the only public highway owned by SDDC – six months previously, but the surface remained potholed. Councillor Southard replied that Mr McArdle

knew about the problem. He said that the current administration could find money for Melbourne and other villages, but this problem was in Swadlincote. Regarding the Delph, Councillor Southerd said the issue was the use of sandstone when Scottish granite would have made a better surface. Inferior slabs were used and they were unsuitable. Councillor Taylor said a significantly different scheme had been proposed for the Delph but it had changed when the new administration took over.

Councillor Musson said he would get a report on the Broomy Farm development for the next meeting of Woodville Parish Council.

SA/12 **Presentation on local community initiative**

Postponed due to meeting overrunning.

SA/13 **Summary of any agreed priorities / actions**

Police priorities:

- Revised patrol strategy.
- Speeding in Hearthcote Road.
- Anti-social parking.

SA/14 **Close and date of next meeting**

Wednesday, February 6th (St George and St Mary Church Hall).

**Councillor Kim Coe
Chair**

The meeting terminated at 8.05pm

SOUTH DERBYSHIRE AREA FORUM

AREA 1 – ETWALL

Tuesday, October 9th, 2018 at Sutton on the Hill Village Hall

PRESENT:-

South Derbyshire District Council (SDDC) representatives

Councillor Mrs Julie Patten (Chair), Councillor Andy Billings,
Councillor Martyn Ford.

Allison Thomas – Strategic Director (Service Delivery).

Chris Smith – Communities Manager.

Tom Sloan – Clerk.

Derbyshire County Council (DCC) representatives

Councillor Martyn Ford, Councillor Mrs Julie Patten.

Derbyshire Police representatives

PC Joe Pilgrim, PCSO Kerry Wallington-Waite.

Parish Council / Meeting representatives

Steve Cooper (Hilton Parish Council), Norman Ireland (Etwall Parish Council), David Neal (Etwall Parish Council), Jane Osborne (Hatton Parish Council).

Members of the public

Ben Taylor (SDDC Housing), Pam Wood (South Derbyshire CVS).

EA/8

Open meeting

a. Introductions and apologies

Councillor Mrs Lisa Brown, Councillor David Muller, Councillor Andy Roberts.

b. Declarations of interest

None.

c. Chair's announcements

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Councillor Mrs Julie Patten updated the meeting that:

- Due to apologies from Councillors Mrs Brown, Muller and Roberts the Area Forum was not quorate and would go ahead as a community meeting only and not a constituted Council meeting.
- The funeral of former SDDC Leader Bob Wheeler had taken place in August.
- Councillor Mrs Amy Plenderleith had left the Council to take up a role with Staffordshire Police.
- SDDC was again running the Free Tree scheme, where residents could claim up to six free saplings for their garden.
- A consultation on the Local Green Spaces Development Plan Document was under way.

d. To receive the minutes of the last meeting

The minutes were approved as a true and correct record of the meeting.

EA/9 **Safer Neighbourhood report**

PC Joe Pilgrim reported that:

- Multiple uninsured drivers had been detected in recent months. This had been as a result of the detention of suspicious vehicles along with the prosecution of disqualified drivers. Multiple illegal immigrants had been detained on the A38 and A50 and handed to immigration officials.
- Cannabis warnings had been issued in the area and a Community Protection Notice (CPN) was given by PCSO Jamie Gutberlet following a neighbour dispute in Etwall.
- A new PCSO was due to start in the middle of November.
- He could shed light on an incident reported at the previous Area Forum in June. A resident had complained about what they felt was a poor Police response to a report made by an off-duty officer regarding cannabis smoking in Sutton Lane, Etwall. No back-up had arrived for the officer after the incident was reported. PC Pilgrim said the officer involved was an inexperienced Special Constable and the call for back-up had been 'deprioritised' as the two smokers had been compliant and co-operative during their arrest. Therefore, on a busy night, no back-up arrived.
- Regarding parking at Etwall Leisure Centre, multiple attempts had been made by PCSO Gutberlet to ease the problem with parking around a busy junction – with little success. Instead,

tickets had now started to be issued and six drivers had been caught. The problem was now much reduced. Police had lost many of their highways enforcement powers, but parking on a solid white line was still one of the powers they had and potentially three penalty points could be added to a licence.

PCSO Kerry Wallington-Waite reported that:

- Scropton did not meet the criteria for a speed camera as there were not enough vehicles caught exceeding the limit in a survey – 85% of traffic did not exceed 42mph in a 40mph area.
ACTION: Kerry Wallington-Waite to set up Community Speed Watch in Scropton

Councillor Mrs Patten reported that there had been a spate of people trying doors in Hilton. PCSO Wallington-Waite replied that she would send out a Tweet telling residents to be alert.

A resident asked if PC Pilgrim or PCSO Wallington-Waite could attend Hilton Parish Council to introduce themselves and give some guidance on social media usage. They agreed they would attend a future meeting if it was at a convenient time vis-a-vis shifts and rest days.

Councillor Andy Billings confirmed that ticketing inappropriately parked cars in Etwall had proved effective. Education was still needed to get people to use the overflow car park at John Port School. He asked for clarification on what constituted anti-social parking which blocked a pavement. Mr Smith replied that if it was consistently the same person, the CPN route could be taken. Photos illustrating the problem over the course of a few weeks were needed. The offence needed to be persistent, unreasonable and causing a nuisance.

A resident asked if there were any plans to check the speed of vehicles at the A5132 crossroads where there had been several serious accidents. PCSO Wallington-Waite confirmed that such checks would fall to Derbyshire's CREST (speed cameras) team. PC Pilgrim confirmed that he had attended three accidents at the location and agreed that there was a case for it to be undertaken.

EA/10 **Communities update**

Mr Smith confirmed there had been a lot of issues in the urban core of South Derbyshire since the previous round of meetings. He reported that:

- An issue which affected everyone in the District was fraud, particularly online fraud. He explained the service offered by Action Fraud, an organisation set up to help people and urged people to be wary of anything which appeared to be a scam.

- Trick or Treat fliers to discourage youngsters from banging on doors were available at the meeting.
- Mr Smith confirmed that the Dove Valley Pub Watch meetings would no longer be held due to poor attendance. Help would still be available to landlords regarding any issues they had – but there appeared to be few problems for pubs in the area.
- Mr Smith reported that there had been no applications for Safer Neighbourhoods funding since the previous meeting. He urged any eligible projects to come forward as funding was available and would potentially go to another area in South Derbyshire if it went unspent.

Pam Wood (CVS) confirmed that:

- The CVS had funding available for various projects and could support the setting up of community groups.
- The Safer Homes Scheme was still operating for elderly and vulnerable residents, where the CVS would visit and install home security devices such as spy holes, door chains and window locks.
- Ashbourne Community Transport was still offering a shopping service to residents in need. Councillor Martyn Ford added that it was a service which needed promoting. Councillor Mrs Patten said she felt the service needed rebooting to help it thrive.

EA/11 **Local authority issues & public questions**

Allison Thomas updated the meeting on the Local Green Spaces Development Plan Document. The number of sites under consideration for protection from development had been whittled down to 86. A letter to Parish Councils set out the criteria. Concerns around sites rejected from the long list could readily be explained – in most cases, they had extant protections and did not need additional measures. Residents had until November to comment on the proposed green spaces.

A resident complained that it was unclear which types of plastics could be recycled. Mrs Thomas replied that the SDDC website had excellent details on the subject and efforts were made to make clear what could and could not be recycled. She agreed that the subject could be confusing. Ultimately, all local authorities were in the hands of recycling firms in terms of what could be recycled – for example, pizza boxes could not be reused as the cardboard used became contaminated with grease. A flier had been produced for those residents who had no internet access to explain the situation. Mrs Thomas added that there had also been several contamination incidents at the recycling centre in Main Street, Hilton, where incorrect items had been placed into the Tetra Pak carton recycling

bins. If the issue continued then the contractor would consider removing the facility.

A resident said that a dog waste bin in Hilton was emptied twice a week, on a Tuesday and a Friday. With three collections due to be missed over Christmas this year, it could prove an unpleasant situation. Mrs Thomas replied that she was in negotiations with relevant staff and unions to see if extra shifts could be laid on over the Christmas period.

A resident said they were unhappy that Hilton Parish Council had been criticised over closed rides in the play area near the village hall. Weekly checks were carried out by the Parish Council and monthly checks by SDDC. Parts had been ordered by the District Council but they had not arrived – yet the Parish Council had been blamed on social media. Mrs Thomas replied that there had been an issue with the supply of spare parts for what was bespoke play equipment. She would pursue the matter with the Cultural Services Manager at SDDC.

EA/12 **Presentation on local community initiative**

No presentation was given.

EA/13 **Summary of any agreed priorities / actions**

ACTION: Kerry Wallington-Waite to set up Community Speed Watch in Scropton

EA/14 **Close and date of next meeting**

The next meeting would be held on January 29 at Foston and Scropton Village Hall.

**Councillor Mrs Julie Patten
Chair**

The meeting terminated at 7.38pm.

SOUTH DERBYSHIRE AREA FORUM

AREA 3 – MELBOURNE AREA

Tuesday, October 23, 2018 at Melbourne Sports Park

PRESENT:-

South Derbyshire District Council (SDDC) representatives

Councillor John Harrison (Chair), Councillor Neil Atkin, Councillor Mrs Hilary Coyle, Councillor Jim Hewlett, Councillor Peter Watson.

Allison Thomas (Strategic Director – Service Delivery).
Chris Smith (Communities Manager).
Tom Sloan (Clerk).

Derbyshire County Council (DCC) representatives

Councillor Neil Atkin, Councillor Mrs Linda Chilton.

Derbyshire Police representatives

PC Joe Pilgrim, PCSO Emma Guest.

Parish Council / Meeting representatives

Catherine Blackmore (Barrow Parish Council), Linda Freeman (Weston Parish Council), Alison Hicklin (Barrow Parish Council), Edward Hicklin (Aston Parish Council), Sheila Hicklin (Melbourne Parish Council), Jean Longley (Aston Parish Council), Avril Record (Weston Parish Council), Margaret Sharp (Melbourne Parish Council), David Smith (Melbourne Parish Council), Terry Summerlin (Melbourne Parish Council), Robert Wheat (Stanton by Bridge Parish Meeting).

Members of the public

Ros Baker (SDDC Housing), Eddie Bisknell (Derby Telegraph), Barrie Evans, Elaine Garratt, S Harrison, Andy Heafield, Frank Hughes (Village Voice), Mark Hunt (CVS), Christine Lee, Alison Thornhill.

MA/8

Open meeting

a. Introductions and apologies

Rachel Cheshire, Mike Selby, Michelle Skinner (CVS).

b. Declarations of interest

None.

c. Chair's announcements

Councillor John Harrison updated the meeting on: the provision of recycling and waste collection calendars, the Environmental Education Project giving away free trees and a consultation being undertaken on the Council's Local Green Spaces Development Plan Document.

d. To receive the minutes of the last meeting

On the proposition of David Smith, the minutes were AGREED as a true and correct record with the following amendments: Councillor Neil Atkin reported that income from the craft village would be £500,000 and not £5,000 and Jean Longley clarified that the car parked without tax or an MOT was in Aston, not Melbourne.

MA/9 **Safer Neighbourhood report**

PCSO Emma Guest reported that:

- She had no crime figures to quote from, but all information was distributed via Twitter.
- Parking on the clear way at Elvaston Castle had been monitored and 20 cars issued with a Notice of Intended Prosecution. Some had already received their Fixed Penalty Notice and others were still in the system. The no parking sign was being ignored and the car park not being used.
- Speed checks had been conducted at three locations in Aston on October 3. A total of 11 drivers had been caught speeding and sent advisory letters. The highest recorded speed was 39mph in a 30mph limit. PC Joe Pilgrim added that in the whole of Derbyshire there were only two PCs trained to use a speed gun to issue fines.
- Parking checks at schools had taken place in Aston, Melbourne and Weston.
- Melbourne Wakes had run smoothly. Two juveniles had been referred to the Youth Offending Team for the possession and smoking of cannabis. There was a small amount of trouble, including a car parked on the side of Potter Street which created problems.
- A couple of cannabis warnings had been issued to youths in Melbourne.
- An issue around a footpath at Woodlands Close would end up being a civil matter.

Councillor Mrs Linda Chilton reported her concerns regarding a fence with had been erected on Woodlands blocking access to a public footpath. She was also disappointed that Sgt Graham Summers had not emailed her back on the subject. PCSO Guest replied that Sgt Summers had tasked her with dealing with the incident. No one had come forward to register themselves as a victim and the fence was put back up the same night. However, the fence itself was believed to be illegal and the issue was now a civil matter. Councillor Mrs Chilton read out the following prepared statement from DCC: “Following a local public inquiry convened by the Planning Inspectorate, the legal order recording a public footpath along Woodlands Close and what was previously the westerly boundary of the former agricultural land (now the Kings Croft development) was confirmed. That route is currently obstructed in part but the Council is seeking to engage with Persimmon Homes in the first instance, and will then engage with affected residents of the Kings Croft development, to open up the full length of what is now known as Footpath 40. Also within the Kings Croft development, Persimmon has designated and built a path link which meets Woodlands Close. Although the company had applied to SDDC, as local planning authority, to divert public rights over what is now Footpath 40 onto the path link, SDDC is unable to make a diversion order now that the Kings Croft development has been completed. The Council has spoken with Persimmon and is hoping to meet the company shortly to establish their intentions with regard to the path link.”

A resident reported a break-in at Aston where the keys to two cars – a people carrier and a Porsche – were taken and the cars stolen. The people carrier was found with all the owner’s possessions in it but no one in the village had heard any more. There was plenty of CCTV but the Police had not been to collect it. PC Pilgrim replied that he would look to see who the officer in the case was. A resident added that he knew from experience that the village CCTV was not clear enough to show a number plate.

MA/10 **Communities update**

Chris Smith reported that:

- Safer South Derbyshire was involved with Hate Crime Awareness Week.
- An issue which affected everyone in the District was fraud, particularly online fraud. He explained the service offered by Action Fraud, an organisation set up to help victims and urged people to be wary of anything which appeared to be a scam.
- The Say Something If You See Something child sexual exploitation campaign was being backed by Safer South Derbyshire.
- There was still £4,000 of Safer Neighbourhoods grant funding available. He urged any eligible projects to come forward as funding

would potentially go to another area in South Derbyshire if it went unspent.

Mark Hunt explained the Safer Homes Scheme which was still operating for elderly and vulnerable residents, where the CVS would visit and install home security devices such as spy holes, door chains and window locks.

MA/11 **Local authority issues & public questions**

Allison Thomas reported that:

- She had been brought in to SDDC with a wide remit which brought together all the public facing Council Services.
- Council standards, covering all key services, were available on SDDC's website.
- Arrangements for the public to get in touch had been smartened up. Waste complaints could be logged by calling 01283 595795 or by emailing waste.cleansing@south-derbys.gov.uk.
- The Council had been working hard to make sure accurate information regarding Christmas waste collections was communicated to residents. The Melbourne area would be affected over Christmas with how bank holidays fell. Plans were being drawn up for additional capacity at bring sites at Melbourne, Midway, Ticknall and Willington. Mrs Thomas was in negotiations with staff at the Council's Depot to lay on extra shifts over Christmas to empty litter and dog bins.
- SDDC wanted to launch a collaborative campaign across the District entitled Litter Heroes to make South Derbyshire a clean and environmentally friendly place to live, work and visit.

A resident asked if funding was available to repair play equipment. Mrs Thomas confirmed that there was.

Councillor Harrison reported that recycling was becoming a more difficult proposition as China was no longer taking certain types of plastic and Malaysia and Vietnam were threatening to follow suit. Mrs Thomas replied that she had set up SDDC's first environmental sustainability group. Single use plastics were a key issue and black plastics were an issue at a national level.

A resident complained about parking on the road at No 8, Railway Bridge Cottages in Swarkestone Road. Could anything be done about it as she felt it was dangerous? Councillor Neil Atkin suggested Weston Parish Council liaise with DCC Highways over the issue.

A member of the public asked when the Community Partnership Scheme funding awards would be announced. Mr Smith replied that the panel would meet on October 31. There had been 11 or 12 applications and they

would go to the Housing and Community Services Committee on November 22.

ACTION: Chris Smith to contact Frank Hughes with the date of the Community Partnership Scheme second phase

MA/12 **Presentation on local community initiative**

Christine Lee and Alison Thornhill from Melbourne Community Care explained the service offered by the charity. There had been an increase in demand for care services and especially transport at a local level. To tackle loneliness, a monthly event entitled Coffee and Company had been set up. Mr Smith suggested the charity speak to Ian Hey at SDDC to access additional funding and Shaun Woodcock in the Council's Active Communities and Health Team. He also suggested getting involved in Liberation Day in an attempt to spread its messages beyond residents in the urban part of South Derbyshire.

MA/13 **Summary of any agreed priorities / actions**

ACTION: Chris Smith to contact Frank Hughes with the date of the Community Partnership Scheme second phase

MA/14 **Close and date of next meeting**

Tuesday, February 12, 2019 at Melbourne Sports Park.

Councillor John Harrison
CHAIRMAN

The meeting terminated at 7.42pm.

SOUTH DERBYSHIRE AREA FORUM

LINTON

Thursday, October 18th, 2018 at Linton Brick Room

PRESENT:-

South Derbyshire District Council (SDDC) representatives

Councillor John Grant (Chair), Councillor Pat Murray.

Frank McArdle – Chief Executive.

Chris Smith – Communities Manager.

Tom Sloan – Clerk.

Derbyshire County Council (DCC) representatives

Councillor Pat Murray.

Derbyshire Police representatives

PC Paul Russell, PCSO Dave McMillan.

Parish Council / Meeting representatives

Claire Bradford (Coton in the Elms Parish Council), Karen Bradford (Coton in the Elms Parish Council), Sheila Jackson (Castle Gresley Parish Council), Carole Knight (Overseal Parish Council), Stephanie Marbrow (Rosliston Parish Council), Janice Pallett (Castle Gresley Parish Council), Oliver Pallett (Castle Gresley Parish Council), John Powell (Linton Parish Council), Steve Sharpe (Overseal Parish Council), Tony Stone (Netherseal Parish Council), Carl Talbot (Walton Parish Council), Kevin Tizzard (Linton Parish Council), Carol Wright (Castle Gresley Parish Council).

Members of the public

Chris Beebee, Tim Bidder, Eddie Bisknell (Derby Telegraph), Katy Fieldhouse, Kerrie Fletcher (CVS), Mark Hunt (CVS), Linda Kinston, Paul Marbrow, Ben Stuart, Rob Talbot, Joanna Trawon.

LA/8

Open meeting

a. Introductions and apologies

Mary Horne.

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b. Declarations of interest

None.

c. Chair's announcements

The meeting was informed that because there were only two district councillors available, the Area Forum was not quorate and would run as a community meeting only and not a constituted SDDC meeting.

Councillor John Grant updated the meeting on: Christmas bin collections, Swadlincote's Christmas lights switch-on, the Environmental Education Project giving away free trees and a consultation which was taking place on SDDC's Local Green Spaces Development Plan Document.

d. To receive the minutes of the last meeting

The minutes were approved as a true and correct record of the meeting. Councillor Grant added an update to the report back on planning enforcement in Netherseal. Permission had now been given for a single caravan pitch. A condition had been added specifying a mains sewer connection.

LA/9 **Safer Neighbourhood report**

PC Paul Russell reported that:

- There had been a spike in non-dwelling burglaries in Overseal.
- The number of quad bike thefts had increased.
- The expected rise in hare coursing usually seen during the summer had not been detected.

A resident asked who was responsible for enforcing the 7.5 tonne weight limit. PCSO Dave McMillan replied that it was Trading Standards which dealt with it. Details of the vehicle could be passed on via DCC's website. PC Russell added that Police could take action, but Trading Standards could issue more substantial fines for such offences.

A member of the public asked if it was offence – full stop – to park on the pavement. PC Russell confirmed that it was not. Councillor Grant added that it was an unfortunate fact of living in the countryside and, however annoying, it was something which residents had to put up with.

LA/10 **Communities update**

Chris Smith reported that: [Page 176 of 189](#)

- Safer South Derbyshire was involved with Hate Crime Awareness Week.
- An issue which affected everyone in the District was fraud, particularly online fraud. He explained the service offered by Action Fraud, an organisation set up to help victims and urged people to be wary of anything which appeared to be a scam.
- The Say Something If You See Something child sexual exploitation campaign was being backed by Safer South Derbyshire.
- There was still £4,000 of Safer Neighbourhoods grant funding available. He urged any eligible projects to come forward as funding was available and would potentially go to another area in South Derbyshire if it went unspent.

Kerrie Fletcher reported that:

- Nominations for the South Derbyshire Community Awards had opened. The first event was held in 2017. There were seven categories and nominations could be for anyone who made a difference in South Derbyshire.
- The CVS was launching the Improving Health and Wellbeing grant for sums of up to £1,000.

Mark Hunt explained the Safer Homes Scheme which was still operating for elderly and vulnerable residents, where the CVS would visit and install home security devices such as spy holes, door chains and window locks.

LA/11 **Local authority issues & public questions**

Frank McArdle reported that:

- There was a by-election being held in Linton the following week. There was also a vacancy in Hilton that would last until the 2019 Local Government Election if no nomination was received by the next week.
- Local Democracy Week was taking place. Pupils from Belmont and Pennine Way schools had visited the Civic Offices to see the duties undertaken by SDDC and had asked some pertinent and often excellent questions.
- The former SDDC Depot in Darklands Road was about to be demolished and the land used for a fast food outlet, pub and some residential respite care.
- The pay-as-you-pay golf centre in William Nadin Way was now up and running.
- Embryonic plans to move SDDC to a new headquarters in a multi-agency building in Swadlincote had been made. It was an exciting prospect.

A resident asked how the proposed third river crossing at Walton was progressing. Mr McArdle replied that all issues from SDDC's point of view had been solved. It was now in the hands of the developer. Officers at SDDC had done everything they could to facilitate the bridge being built and there were 2,000 homes in South Derbyshire's Local Plan reliant on it.

A member of the public said that since Councillor Beth Hall had moved out of South Derbyshire and during Councillor Pat Murray's illness, their village – in the Seales Ward – had been left without representation. How had Councillor Hall retained her seat after moving to live a long distance from her ward? Mr McArdle replied that Councillor Hall had not vacated her seat. If she attended a minimum number of meetings at the Council she would be within the rules. Anyone who wanted information regarding her attendance should use a Freedom of Information request. He was unable to comment any further on the question. Councillor Murray said he was undertaking his duties every day and was always available on the phone for his constituents. He started work every day at 7.30am and often worked into the evenings with his duties at County Hall. His colleague, Councillor Grant, had helped as well. The loss of Councillor Bob Wheeler had contributed too and he and Councillor Grant were doing their best to cover. Councillor Grant added that he lived in the Seales and would attempt to help anyone with a problem regardless of where they lived.

A resident voiced concern over the development at Chilcote and Stretton en le Field, in North West Leicestershire, putting even more traffic onto the A444. Mr McArdle replied that, as it was a planning matter, he was unable to comment. SDDC, as a neighbouring authority, would have been consulted and he understood the resident's concerns. Councillor Grant added that a planned development at the junction of the A444 and M42 included a distribution centre. It would impact on many of the villages and roads in the area. Councillor Murray said he had attended meetings with the developer and pointed out that the A444 was a cut through to the A38. DCC was fully aware of the situation.

A member of the public brought up the 40mph speed limit on Walton Road outside the Drakelow Park development which they felt should be 30mph. They were told it had previously been raised with DCC, who were happy with the status quo.

A resident thanked Mr McArdle for the foot golf which had been brought in as part of the new golf centre in William Nadin Way. Mr McArdle said he would pass the feedback onto N1 Golf, who were running the site and planning on bringing in Adventure Golf.

A member of the public asked that, since SDDC had taken over the running of Rosliston Forestry Centre, could consideration be given to allowing horse riders to use the paths so they were not forced onto busy roads

in the area. A resident added that a mapping error in the 1950s meant that a lot of bridle paths had been reclassified as footpaths.

ACTION: Frank McArdle to raise request with DCC, the Forestry Commission and the National Forest

A resident complained about the standard of roads in the area. Councillor Grant replied that there was a system in place to report them to DCC. Councillor Murray added that 22,000 pot holes were fixed every year and they were being fixed more quickly than ever through the use of a new machine and extra crews.

LA/12 **Presentation on local community initiative**

In lieu of a presentation, Mr Smith updated the meeting that:

- Rosliston Rangers were looking for volunteers to help with gardening at Rosliston Forestry Centre. Work was undertaken between 10am and 3pm on the second and fourth Tuesday of each month. Further information was available at rosliston@south-derbys.gov.uk.
- The Drop-In Gardening sessions were still being held on Mondays between 2pm and 4pm until December 3rd. They would start again on January 7th.

LA/13 **Summary of any agreed priorities / actions**

ACTION: Frank McArdle to raise request (for possible use of Rosliston Forestry Centre by horse riders) with DCC, the Forestry Commission and the National Forest

LA/14 **Close and date of next meeting**

Wednesday, January 30th, 2019.

**Councillor John Grant
Chair**

The meeting terminated at 8pm.

SOUTH DERBYSHIRE AREA FORUM

REPTON

Wednesday, October 10th, 2018 at Ticknall Village Hall

PRESENT:-

South Derbyshire District Council (SDDC) representatives

Councillor Andy MacPherson (Chair), Councillor Martyn Ford, Councillor David Shepherd, Councillor Michael Stanton.

Frank McArdle (Chief Executive).
Claire Rawlins (Anti-Social Behaviour Officer).
Tom Sloan (Clerk).

Derbyshire County Council (DCC) representatives

Councillor Martyn Ford.

Derbyshire Police representatives

Sgt Graham Summers, PCSO Harriet Dunn.

Parish Council / Meeting representatives

Susan Browne (Ticknall Parish Council), David Dickson (Repton Parish Council), Mary Goodall (Findern Parish Council), Christina Oppenheimer (Ticknall Parish Council), Rosemary Rose (Findern Parish Council), Trevor Skeith (Repton Parish Council), Steve Toone (Bretby Parish Council), Cliff Warner (Willington Parish Council).

Members of the public

Ros Baker (SDDC Housing), Tony Bates, Eddie Bisknell (Derby Telegraph), Sue Carter, J Griffiths, Heather Hall, John Orme, Alison Thornhill (National Trust).

RA/8 **Open meeting**

a. Introductions and apologies

Councillor Manjit Chahal, Councillor Mrs Linda Chilton, Councillor Peter Smith.

b. Declarations of interest

None.

c. Chair's announcements

Councillor Andy MacPherson updated the meeting on: Christmas bin collections, the Environmental Education Project giving away free trees and a consultation which was taking place on SDDC's Local Green Spaces Development Plan Document.

d. To receive the minutes of the last meeting

The minutes were approved as a true and correct record of the previous meeting.

RA/9 **Safer Neighbourhood report**

PCSO Harriet Dunn reported that since the previous meeting:

- Repton Community Speed Watch had been active three times and caught more than 150 drivers speeding. CREST (Camera Vans) had been out and caught 32 drivers who would receive fixed penalty notices. The camera van would visit the village again soon. A Community Speed Watch was being set up in Stenson.
- A drink-driver had been caught in Mount Pleasant Road, Repton and another stopped in Willington who turned out to be disqualified and driving without insurance.
- A cannabis warning had been issued to occupants of a car in Ingleby Lane, Ticknall.
- A scrap metal vehicle had been seized in Stenson.
- Anti-social behaviour (ASB) in Hillside Park, Findern, and anti-social parking at Foremark Reservoir, seemed to have died down.
- There had been an increase in burglaries in Stenson and a patrol strategy compiled to combat it.

Councillor David Shepherd thanked PCSO Dunn for her efforts in Stenson and reported that scrap metal vans had been a problem in the area for a considerable amount of time. It was thanks to PCSO Dunn visiting the area that the van in question was seized.

A resident reported their concern over the number of burglaries, thefts and car thefts in Willington. They felt there was not enough information being disseminated to residents around the alleged incidents. The village was near to the A38, A50 and M1 and it was starting to feel as though the village was being left to fend for itself. Sgt Graham Summers replied that a lot of theft from vehicles was opportunistic and unlocked

vehicles were often targeted. As for Willington being ‘abandoned’, Police could react with a patrol strategy. They were reviewed on a daily basis. There were limited resources to patrol roads in South Derbyshire. While residents may see or hear about an increase in crime, South Derbyshire largely remained a very safe place to live. Any information given to Police was useful and helped in the prevention and solution of crimes.

A resident asked why a speed camera was being used near the level crossing in Willington. Sgt Summers replied that it was not a speed camera but British Transport Police checking for drivers jumping the level crossing.

Councillor Shepherd asked on behalf of Stenson Fields Parish Council why it seemed that Derbyshire Community Speed Watches could only operate in 30mph areas and not where the limit was 40mph. Sgt Summers replied that he did not know. It was an issue to raise with the Police and Crime Commissioner.

Regarding the Task Force meeting held on August 15th between SDDC Councillors and Police, Councillor Shepherd asked if further meetings could be held as a matter of urgency. Frank McArdle replied that he felt the meeting had been a useful starting point and another one was expected to take place before Christmas.

Councillor Shepherd raised a sign advertising an event in Swarkestone which had been placed over a DCC sign, causing an obstruction for traffic. Sgt Summers was not aware of the sign and said any call made to Police would likely to be diverted to DCC Highways.

RA/10 **Communities update**

Claire Rawlins reported that:

- There were two ongoing enforcement actions related to adults causing a nuisance to neighbours. One was due in court the next week when an application for a Criminal Behaviour Order (CBO – new name for an Anti-Social Behaviour Order) would be made.
- Hate Crime Awareness Week was due to be held on October 13th to 20th.
- Prison Me? No Way! visits would again be made to secondary schools in South Derbyshire.
- The Say Something If You See Something campaign around child sexual exploitation was being backed by the Safer South Derbyshire Partnership.
- No Trick or Treat leaflets were available for residents who wished to avoid children knocking on their door on Halloween.

- A sum of £4,000 was still available for projects in the area targeting crime, anti-social behaviour or community safety.

A resident said they were frustrated with the term 'hate crime'. They felt hate did not come into it and the term was unhelpful – it was simply a crime.

Rich Murrell explained the work undertaken by South Derbyshire CVS. He also reported that cuts expected to hit the service had not been made thanks to lobbying from various authorities.

RA/11 **Local authority issues & public questions**

Mr McArdle reported that:

- A by-election would be held on October 25th. It raised the topic of eligibility to vote. He urged those present to ensure they were on the Electoral Roll and registered to vote. In May, all 36 seats on SDDC were up for election.
- Local Democracy Week would start the following week. He was passionate about democracy, something people had died for in the past in the UK. If people did not use it, they could lose it – and it was vital that the message was passed down to young people. As part of the week, primary school pupils would visit the Civic Offices and learn about democracy at a local level.
- The Local Green Spaces Development Plan Document was out for consultation. It would award Green Belt status. A total of 86 spaces across South Derbyshire were proposed.

A resident raised the development of the former Calder Aluminium site in Repton Road, Willington. He believed that a berm should have been left around the site to protect it from flooding from the nearby brook. However, he felt that the condition – applied in 1970 – had not been met. Mr McArdle replied that it he did not have the current planning application in front of him so it was impossible to comment on the report and any possible discharge of historic conditions. He would respond to the resident outside the meeting.

A resident raised the issue of dog fouling and asked if more could be done to prosecute those responsible for it. Mr McArdle replied that Allison Thomas had been appointed to take a strategic view of service delivery at SDDC. Efforts were being made to come up with a structure that would improve what was offered – but SDDC had a good track record of prosecutions.

Councillor Ford reported graffiti under the A50 bridge at Crow Park Way, Findern. A mural had been defaced.

ACTION: Location to be reported to SDDC Communities Manager Chris Smith

A resident said a previous report into trees overhanging the road at the Mount Pleasant pub in Repton had investigated the wrong trees. The issue was with poplars at the corner of a field. Councillor Michael Stanton replied that he had reported the trees to SDDC Tree Officer Martin Buckley, who reported that the trees were healthy and should be left as they were.

ACTION: Tom Sloan to re-report trees to Martin Buckley

A resident asked for another request to be made to DCC regarding improved signage at Repton Primary School. Councillor Ford confirmed that he had asked for a safety officer to visit and have a look at the issue.

RA/12 **Presentation on local community initiative**

Alison Thornhill from the Calke Abbey Loneliness Project delivered a presentation on efforts being made to reach out to the lonely in South Derbyshire.

RA/13 **Summary of any agreed priorities / actions**

ACTION: Location (of graffiti at Crow Park Way) to be reported to SDDC Communities Manager Chris Smith

ACTION: Tom Sloan to re-report trees (at Mount Pleasant) to Martin Buckley

RA/14 **Close and date of next meeting**

Wednesday, January 23rd, 2018.

Councillor Andy MacPherson
CHAIR

The meeting terminated at 7.53pm.

SOUTH DERBYSHIRE AREA FORUM

NEWHALL

Wednesday, October 3rd, 2018 at Newhall Old Post Centre

PRESENT:-

South Derbyshire District Council representatives

Councillor Sean Bambrick (Chair), Councillor Paul Dunn, Councillor Kevin Richards, Councillor Mrs Linda Stuart, Councillor John Wilkins.

Kevin Stackhouse (Strategic Director – Corporate Resources).
Kate Allies (Environmental Development Manager).
Claire Rawlins (Anti-Social Behaviour Officer).
Tom Sloan (Clerk).

Derbyshire County Council representatives

Councillor Sean Bambrick, Councillor Gary Musson.

Scott Clayton (Thriving Communities).

Derbyshire Police representatives

PC John Anwar, PCSO John Beard, PCSO Karen Coldicott.

Parish Council / Meeting representatives

None.

Members of the public

Chris Baldwin (William Allitt School), Ros Baker (SDDC Housing), Pat Bambrick, Mark Boam, G Britten, Stella Brooks, Rev Patrick Douglas, H Foy, Pamela Foy, A Hillier, Christine Hobson, Hedley Hobson, Richard House, Ron Hughes, Mark Hunt (CVS), Alan Jones, Mike Lacey, Colin Maddock, M Richards, P Salt, Moira Taylor, R Trim, Pam Wood (CVS), Barry Woods (Friends of Newhall Park), Joan Woods.

NA/8 **Open meeting**

a. Introductions and apologies

Alan Argent, Colin Dobson, Bill Parker, Councillor Robert Pearson.

b. Declarations of interest

None.

c. Chair's announcements

Councillor Sean Bambrick reported that:

- Recycling and waste collection calendars would start to be distributed to all households in South Derbyshire during October.
- SDDC's Environmental Education Project, supported by the National Forest, was giving away free trees, with up to six allowed per household.
- A Halloween event was being held at Swadlincote Woodlands.
- Swadlincote's Christmas lights were being switched on during the evening of Friday, November 30th.
- A draft version of the Local Green Spaces Development Plan Document would be published for consultation on October 8th for a six-week period.

d. Minutes of the meeting held on June 27th

The minutes were approved as a true and correct record of the meeting.

NA/9

Safer Neighbourhood report

PCSO John Beard reported that anti-social behaviour had increased significantly, particularly around Newhall Park and Midway Community Centre. PCSO Karen Coldicott had visited both parks to put notices up.

A resident who lived near Midway Community Centre said that they had reported anti-social behaviour (ASB) on several occasions but Police response times had been very slow to what was low-level behaviour such as noise nuisance. PCSO Beard replied that calls to the 101 non-emergency line took time to filter through so officers could not always be there straight away. PC John Anwar reiterated the importance of reporting incidents to ensure Police stayed informed of what was happening. Claire Rawlins added that she could give out diary logs for residents to report ASB. She had previously issued warnings connected with youths at the community centre.

Councillor Kevin Richards asked what had been done about the foul language emanating from Sunday League footballers who used the centre.

Mrs Rawlins replied that a letter had been written to the FA and football teams had been reminded of their responsibilities.

A resident reported a group of screaming young girls aged 8-9 being menacingly pursued by a teenage boy in Newhall Park. He had rang 999 but Police took longer than he expected to arrive. PCSO Coldicott replied that by the time Police responded to the call the girls were no longer in any danger. PCSO Beard added that someone should have told the resident that the girls were safe. A name had been passed to Police at the time, but the individual was actually in prison and could not have been involved. Enquiries had been made and someone spoken to.

PCSO Beard reported that Police had been busy across the Swadlincote area dealing with uninsured vehicles. At least 60 had been seized and three disqualified drivers discovered.

Regarding drugs, four cannabis grows had been discovered in Newhall since the previous meeting and those responsible dealt with. Three people had been arrested for supplying a Class A drug and one of those was in possession of Mamba.

A resident complained that a day after flowers had been planted at Newhall Park they were trampled and destroyed by someone.

NA/10 **Communities update**

Claire Rawlins reported that People Express had applied for £2,000 to run the Creative Communities project for young people at Midway Community Centre. The project, which ran on Tuesdays, had been a success earlier in the year with 30-40 children attending every week. The new project would run on a weekly basis for 26 weeks. Councillor Paul Dunn backed the project and said he had been to its first meeting and confirmed that it was very well-attended. A resident said a lot of those attending hung around outside. Councillor Bambrick said he would ask for better marshalling. The funding bid was approved.

Chris Baldwin gave a presentation on the ways William Allitt School was interacting with the community, including:

School events

- OAP bingo and Christmas dinner.
- Choir performance at Christmas lights switch-on.
- Liberation Day.
- Summer and Christmas concerts.
- Annual school show.

- Year 7 show.
- Year 7 Love Your Local Market.
- Friends of Newhall Park.
- Tree planting, litter picking and alcohol awareness.

Transition activities

- Science and engineering with Rosliston and Newhall
- Antarctica microbiology grant.
- Dance in the Forest.
- Summer School.

Employability skills

- Sainsbury's Waste Less Save More.
- Mock interviews.
- Work experience.
- Dementia Friends.
- Charity projects.

Facilities

- Martial arts.
- Theatre cats.
- Music centre.
- Sunday football team.

Pam Wood updated the meeting on activities the CVS was undertaking in the Swadlincote area. She reported that the Derbyshire Clinical Commissioning Group had threatened to cut its funding to the CVS but after pressure the decision was reversed. The cuts which had taken place to the CVS budget could be managed.

NA/11 **Local authority issues & public questions**

A resident again asked about public footpaths around the new golf course between Newhall and William Nadin Way. Kevin Stackhouse replied that there was a temporary footpath operational but the old footpath across the location was closed. He had a map showing rights of way which he would share with the resident after the meeting.

A member of the public reported that a footpath from Leawood Road to Sandcliffe Road, Midway, was around 50% overgrown with weeds including nettles. He believed that SDDC had a maintenance duty but he suspected the path was too narrow for a mower to access and the job needed a worker with a hand strimmer.

ACTION: Tom Sloan report overgrown footpath to SDDC Depot

A resident brought up the state of 1, Main Street, Newhall which he said had stood empty for 20 years and was owned locally. He believed that SDDC had paid for the property to be renovated. No one lived in the house. Was there anything SDDC could do to make the owner pay property tax? Kevin Stackhouse replied that if a property stood empty for more than two years, 50% was added to the Council Tax bill. He also confirmed that no money from SDDC had gone into the property as criteria for a grant were not met. Action could be taken if the building was in a dangerous state, but he did not believe it was. Councillor Bambrick added that he believed there was not much which could be done from an SDDC perspective.

NA/12 **Presentation on local community initiative**

Preservation of tram poles in Newhall

Kate Allies presented information and options regarding the potential preservation of the remaining tram poles in Newhall which dated back to the 1920s. One option was to leave them, more or less, in their current state. The poles were cast iron and protected by a layer of surface rust. They posed no danger to the public. Alternatively, they could be shot blasted in situ and primed with red oxide primer before being glossed in their correct original colour. The meeting agreed to restore the poles. Councillor Bambrick added that he felt it was an excellent project.

NA/13 **Summary of any agreed priorities / actions**

Tom Sloan report overgrown footpath to SDDC Depot

NA/14 **Close and date of next meeting**

Tuesday, January 22nd, 6.30pm at Newhall Day Centre.

Councillor Sean Bambrick
CHAIR

The meeting terminated at 7.50pm.