

MINUTES of the MEETING of the  
SOUTH DERBYSHIRE DISTRICT COUNCIL  
held at the Civic Offices, Civic Way, Swadlincote  
on Thursday 28<sup>th</sup> June 2018  
at 6.00pm

**PRESENT:-**

**Conservative Group**

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

**Labour Group**

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

CL/28 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Mrs Coe, Mrs Hall, Hewlett and Roberts (Conservative Group) and Councillors Chahal and Tilley (Labour Group) and Councillors Coe and Tipping (Independent Group).

CL/29 **PRESENTATION: Chief Superintendent Jim Allen**

The Chief Superintendent presented an update on policing matters in the area; local crime rates, issues relating to County Lines, dependency on controlled drugs and activity of organised crime groups. The Chief Superintendent outlined actions taken through working jointly with the Council's Safer Neighbourhood team including the use of Community Protection Orders to continue making South Derbyshire a safe place. The Chief Superintendent highlighted the dangers related to the drug Spice/Mamba and urged for support in recommending that the drug's classification be increased to Class A. The Chief Superintendent thanked those involved in the policing of Eureka Park through the use of body-worn cameras and an offer of future funding was made.

Councillors raised concern and questions relating to groups targeted in relation to organised crime, the link between drug-users and recent criminal activity particularly in the Midland Road and Eureka Park area and action taken against any council tenants involved in such activity. The Chief Superintendent responded to all questions and reassured Council that such matters continue to be addressed with the help of the Council's Housing and Safer Neighbourhood departments. The Chairman led Members in thanking the Chief Superintendent for his update.

Councillor Wyatt addressed Council commending the work of police officers that she had witnessed first-hand through volunteering for Derbyshire Police and wished for the Chief Superintendent to pass on thanks and appreciation of the work they do to keep South Derbyshire a safe place to live and work.

CL/30 **MINUTES OF COUNCIL**

The Open Minutes of the Annual Council Meeting (CL/1-CL/24) held on the 17th May 2018 and Civic Council Meeting (CC/1-CC/7) held on the 24th May 2018 were approved as a true record.

Councillor Shepherd raised comment in relation to CL/12 requesting an update on the matter. The Chief Executive advised that following a briefing with the Leader of the Council, Leader of the Opposition and the local Members involved, the situation regarding the use of delegated authority would be a matter submitted to a future meeting of the Council.

Councillor Shepherd commented that at Annual Council he had expressed the view that the Scheme of Delegation had not been adhered to with regards to the submission of the Expression of Interest. The Councillor felt that Members should have been involved in the decision and been provided with the opportunity for their Wards to be considered. The Chief Executive highlighted that through the Environmental and Development Services Committee, a decision was made to proceed with the initiative. The Chief Executive noted that at no point was any decision made by officers to commit the Council to expenditure or proceed to implementation.

CL/31 **DECLARATIONS OF INTEREST**

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

CL/32 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council outlined a summary of events attended since the last Council Meeting, including the Festival of Leisure, an awards ceremony for the RISE initiative, the inauguration of the Swadlincote Heritage Trail commemorating the life of John Avery, Civic Council, a party celebrating the 100<sup>th</sup> birthday of Mary Thompson and the commemorative cricket match held at 3AAA's Derby Cricket Ground with a team of Australian aboriginals. The Chairman also informed Council that a cheque for £6,212 had been presented to a representative of Derbyshire Leicestershire Rutland Air Ambulance earlier in the day.

CL/33 **ANNOUNCEMENTS FROM THE LEADER**

The Leader commended this year's Festival of Leisure and the inauguration of the Swadlincote Heritage Trail, thanking officers for their hard work making the events such a success. The Leader updated Council that at its last meeting, the Toyota City Partnership Board invited exporting experts to help guide smaller, fledgling businesses.

The Leader reminded Members of the importance of attending mandatory training and informed Council that a review of the management of public open spaces was being undertaken with a future report to Environmental and Development Services Committee. The Leader added that requests had been made by some Members for the installation of USB ports and plugs in the Chamber. The Chief Executive noted the request.

CL/34     **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Chief Executive informed Council that a request had been received from Councillor Swann asking if Members would be in favour of having their signatures redacted online from their Members' Interests Record. Members supported the request and resolved that this be actioned.

The Chief Executive updated Members that questions had been raised in relation to the bridge in Walton and that a statement from Drakelow Park Group had been obtained, confirming that no developer had pulled out, discussions relating to them revising their team and its composition had taken place and as part of that the masterplan was being examined to ensure it remains current and appropriate.

Council was informed that during the upcoming local democracy week, local schools had been approached to use this opportunity to further educate on local democracy. The Chief Executive concluded by welcoming the feedback received from Members regarding the Festival of Leisure and responded that this would be passed on the staff involved.

CL/35     **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council were informed that no questions had been received.

CL/36     **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

In accordance with Council Procedure Rule No. 11, a Question had been received from Councillor Richards.

Councillor Richards stated that given the report at Item 11 of the Agenda, the question had been answered and the Councillor subsequently requested that the question be withdrawn.

In accordance with Council Procedure Rule No. 11, the following Question had been received from Councillor Dunn:

“Does the Leader of the Council have confidence in Cllr Robert Coe being able to satisfactorily represent the residents of Swadlincote ward and South Derbyshire District Council after his guilty plea in court to assaulting a female officer of the Quality Care Commission?”

The Leader responded that as Councillor Coe was no longer a member of the Controlling Group or the Conservative Party, he felt it was not appropriate to comment on his ability to represent the people of Swadlincote. The Leader expressed that if Councillor Coe wishes to continue to represent his residents, then this remained a matter for him alone.

Councillor Dunn sought clarification if this was a matter for the Standards Committee and queried whether the Councillor should still represent the residents of Swadlincote. The Leader responded that this would be for Councillor Coe and the constituents to determine.

#### CL/37 **SEALED DOCUMENTS**

<u>Date</u>	<u>No. of Seal</u>	<u>Nature of Document</u>
06.04.18	11954	Transfer – 36 Arthur Street, Castle Gresley
06.04.18	11956	Transfer – 62 Field Avenue, Hatton
09.04.18	11958	Transfer – 34 Nelson Street, Swadlincote
20.04.18	11960	Transfer – 35 Salisbury Drive, Midway
02.05.18	11971	Transfer – 10 Field Way, Newhall
11.05.18	11975	Transfer – 4 Hall Street, Church Gresley
11.05.18	11977	Transfer – 13 Appleton Close, Newhall
01.06.18	11999	Transfer – 29 Church Road, Egginton
01.06.18	12001	Transfer – 2 Cecil Road, Newhall
11.06.18	12006	Transfer – 158 Main Street, Repton

#### **RESOLVED:**

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

Councillor Rhind sought clarification on the number of council houses that had been sold this year. The Chief Executive agreed to provide this information at a future Meeting.

#### CL/38 **REPTON NEIGHBOURHOOD DEVELOPMENT PLAN**

The Strategic Director (Service Delivery) presented the report to Council advising that the Environmental and Development Services Committee held on 31<sup>st</sup> May 2018 approved to refer to Council.

#### **RESOLVED:**

***1.1 Council noted the report and supporting papers submitted to the Environmental and Developmental Services Committee (E&DS) where it was agreed that, subject to changes recommended by the external Examiner, the Repton Neighbourhood Development Plan be progressed to a referendum.***

***1.2 Council approved the Repton Neighbourhood Development Plan proceeding to a referendum.***

CL/39 **ADOPTION OF SECTION 27 OF THE POLICING AND CRIME ACT 2009**

The Senior Licensing Officer presented the report to Council following its approval by Environmental and Development Services Committee on 31<sup>st</sup> May 2018.

Councillor Southerd informed Council that at its meeting on 31<sup>st</sup> May 2018, the Environmental and Development Services Committee had agreed that adopting this policy was imperative.

**RESOLVED:**

***1.1 Members resolved to adopt section 27 of the Policing and Crime Act 2009 (the '2009 Act') and reaffirmed adoption of the Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (the '1982 Act') to come into effect from 1st August 2018.***

***1.2 Members authorised Officers to take the necessary steps to confirm the resolution to adopt the 2009 Act and reaffirmation of the 1982 Act.***

***1.3 Members approved the Sex Establishments and Sexual Entertainment Venue Policy to come into effect from 1st August 2018.***

***1.4 That the proposed fees for sex establishments are approved.***

CL/40 **POLITICAL PROPORTIONALITY**

The Leader advised that this report had been submitted to Council in order to address the change in membership of the Controlling Group.

Councillor Richards sought clarification on any impact on the composition of Licensing and Appeals Sub-Committees. The Legal and Democratic Services Manager responded that there would be no additional impact on the formation of the Sub-Committee.

**RESOLVED:**

***1.1 That the Council approved and adopted the recommended allocation of seats to the Political Groups for the remainder of the municipal year 2018/19.***

***1.2 That the Council allocated seats between the Political Groups as set out at Annexe 'A' to the report.***

CL/41 **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:-***

<u>Committee</u>	<u>Date</u>	<u>Minute No.'s</u>
Licensing and Appeals Sub-Committee	30.05.18	LAS/1-LAS/5
Environmental and Development Services	31.05.18	EDS/1-EDS/20
Planning	05.06.18	PL/1-PL/21
Housing and Community Services	07.06.18	HCS/1-HCS/12
Finance and Management	14.06.18	FM/1-FM/16

**CL/42 THE COMPOSITION OF COMMITTEES, SUB-COMMITTEES & WORKING PANELS FOR THE REMAINDER OF THE MUNICIPAL YEAR**

**RESOLVED:**

***Council approved the following amendments:***

**Housing and Community Services Committee  
*Councillor Roberts to replace Councillor Ford*  
*Councillor Stanton to replace Councillor MacPherson***

**Planning Committee  
*Councillor Ford to replace Councillor Mrs Hall***

**Community Partnership Scheme  
*Councillor Grant to replace Councillor Ford***

**CL/43 COMPOSITION OF SUBSTITUTE PANELS**

**RESOLVED:**

***Council approved the following amendments:***

**Housing and Community Services Committee  
*Councillor Ford to replace Councillor Roberts*  
*Councillor MacPherson to replace Councillor Stanton***

**Planning Committee  
*Councillor Mrs Hall to replace Councillor Ford***

**Community Partnership Scheme  
*Councillors Hewlett and MacPherson to replace Councillors Atkin and Murray***

**CL/44 REPRESENTATION ON OUTSIDE BODIES**

Council were informed that no changes had been made to the representation on outside bodies.

**CL/45 MEMBER CHAMPIONS**

Councillor Coe was removed as the Member Champion of Older People.

**CL/46 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 Annual Council Meeting held on 17<sup>th</sup> May 2018 (CL/25-CL/27) 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:-*

<u>Committee</u>	<u>Date</u>	<u>Minute No.'s</u>
Environmental and Development Services	31.05.18	EDS/21-EDS/23
Planning	05.06.18	PL/22-PL/23
Housing and Community Services	07.06.18	HCS/13-HCS/16
Finance and Management	14.06.18	FM/17-FM/26

The meeting terminated at 6.55pm.

COUNCILLOR M STANTON

CHAIRMAN OF THE DISTRICT COUNCIL