

MINUTES of the ANNUAL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way
on Thursday, 12 May 2022
at 6.00pm

PRESENT:

Labour Group

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

Conservative Group

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

Independent Group

Councillors MacPherson and Roberts.

Non-Grouped

Councillor Wheelton and Councillor Churchill

CL/1 **APOLOGIES**

Council was informed that apologies had been received from Councillor Watson (Conservative Group).

CL/2 **TO CONFIRM THE OPEN MINUTES OF THE COUNCIL MEETINGS**

The Open Minutes of the Council Meetings held on the 23rd February 2022 (CL/105-CL/127), and 14th April 2022 (CL/128-CL/143) were approved as a true record.

CL/3 **DECLARATIONS OF INTEREST**

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

CL/4 **TO APPOINT THE LEADER OF THE COUNCIL**

RESOLVED:

That Councillor Richards be appointed Leader of the Council for the remainder ensuing year.

Under Rule 16.5 of the Council Procedure rules Members requested that a recorded vote be taken.

The Members who voted in favour of the resolution above were:

Councillors: Bambrick, Dunn, Gee, Heath, MacPherson, Mulgrew, Pearson, Pegg, Rhind, Richards, Shepherd, Singh, Southerd, Stuart, Taylor, Tilley and Wheelton

The Members who voted against the above resolution were:

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

Members who abstained were:

Councillors Churchill and Roberts

CL/5 **TO APPOINT THE DEPUTY LEADER OF THE COUNCIL**

RESOLVED:

That Councillor Southerd be appointed Deputy Leader of the Council for the remainder ensuing year.

Under Rule 16.5 of the Council Procedure rules Members requested that a recorded vote be taken.

The Members who voted in favour of the resolution above were:

Councillors: Bambrick, Dunn, Gee, Heath, MacPherson, Mulgrew, Pearson, Pegg, Rhind, Richards, Roberts, Shepherd, Singh, Southerd, Stuart, Taylor, Tilley and Wheelton

The Members who voted against the above resolution were:

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

Members who abstained were:

Councillor Churchill

CL/6 **ANNOUNCEMENTS FROM THE CHAIR**

The Chair of the Council addressed Council highlighting his attendance at the St George's Day parade, the opening of the Bob Wheeler House with the Chief Executive and the Leader of the Council. The Chair of the Council had also attended the launch of the Platinum Jubilee celebrations and confirmed that cheques had been given the Chair's nominated charities earlier that day.

CL/8 **ANNOUNCEMENTS FROM THE LEADER**

The Leader of the Council informed Council that he had attended the opening of the Bob Wheeler House that was a vision of innovation for South Derbyshire.

CL/9 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Head of Paid Service informed Council that a letter had been sent to Councillor Watson wishing him a speedy recovery. He also announced that Allison Thomas, Strategic Director (Service Delivery) had been appointed as the new Chief Executive for North West Leicester Council and thanked her for her contribution during the previous four years at South Derbyshire District Council. Council was informed that the Midway By-Election would take place on 30 June. The Head of Paid Service noted that the opening of the Innovation Centre would offer space for fledging businesses to grow.

The Head of Paid Service reported that the internal auditors had made some recommendations following a recent audit. He advised that Members were encouraged to attend training for Equality, Diversity and Inclusion. He further advised there had been a recommendation advising Members should ensure they remain up to date with all types of training, including governance matters. The Head of Paid Services reminded Members to ensure they were up to date with their mandatory training, particularly when sitting on relevant Committees.

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

Council was informed that no questions had been received.

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

Council was informed that no questions had been received.

CL/12 **TO CONSIDER ANY NOTICES OF MOTION**

Council was informed that no notices of motion had been received.

CL/13 **MELBOURNE NEIGHBOURHOOD DEVELOPMENT PLAN**

The Strategic Director (Service Delivery) presented the report to Council and outlined the consultation process and the modifications made following the independent review.

As a Local Ward Member, Councillor Fitzpatrick thanked the group who had developed the plan and the independent inspector for their valuable input.

As a Local Ward Member, Councillor Hewlett fully supported the plan and drew attention to the support of permanent agricultural land that would be required in the future.

RESOLVED:

- 1.1 Council considered the draft Melbourne Neighbourhood Development Plan, as per Appendix 1 of the report, together with the Examiner's Report and recommended modifications, as per Appendix 2 of the report.***
- 1.2 Council agreed to each of the recommended modifications identified by the independent Examiner to ensure that the draft Neighbourhood Development Plan met all necessary legal requirements at the stage to allow it to proceed to referendum.***
- 1.3 Council agreed that the modified Melbourne Neighbourhood Development Plan, as per Appendix 3 of the report, proceeded to referendum.***
- 1.4 Council agreed that, should the Melbourne Neighbourhood Development Plan be passed at referendum, the Plan should be deemed to be 'made' with immediate effect.***

CL/14 **CYCLE OF MEETINGS 2021-22**

The Head of Legal and Democratic Services presented the report to Council highlighting the amended dates following approval at the 14 April 2022 Council Meeting.

RESOLVED:

In accordance with Council Procedure Rule No. 1.1 (g) of the Council's Constitution, the cycle of Council and Committee meetings for 2022/23 as per Appendix A to the report, be approved by Council.

CL/15 MEMBERS' CODE OF CONDUCT

The Monitoring Officer presented the Report to Council and asked for approval of the recommendations.

The Leader of the Council thanked the Monitoring Officer and fully supported the recommendations within the report.

RESOLVED:

- 1.1 Council noted the Local Government Association's (LGA) Model Councillor Code of Conduct ('the Code') and its associated documents.**
- 1.2 Following review of the Model Code, and associated Guidance, on recommendation by the Monitoring Officer (MO), Council resolved to implement a revised Members' Code of Conduct at its Annual Council Meeting on 11 May 2023.**
- 1.3 Council agreed that that all Elected Members consider the content of the Model Code and provide any comments to the Monitoring Officer no later than 30 September 2022.**
- 1.4 Alongside the review of the Model Code, on recommendation of the Monitoring Officer, Council considered the role, re-appointment and/or recruitment of future Independent Persons.**
- 1.5 Council approved the appointment of Deputy Monitoring Officer (DMO).**

CL/16 POLITICAL PROPORTIONALITY

The Head of Legal and Democratic Services presented the report to Council requesting that Members approve the recommendations contained within the report.

The Leader of the Council proposed that the recommendations be amended as follows:

Committee	Membership	Conservative Group	Labour Group	Independent Group	Non – Grouped
Finance & Management	13	6	5	1	1
Environmental & Development Services	13	6	6	0	1
Housing & Community Services	13	6	5	1	0
Planning	13	6	6	0	1
Licensing & Appeals	15	6	6	1	1

Overview & Scrutiny	8	4	3	1	0
Standards	6	3	3	0	0
Joint Consultative	5	2	2	0	0
Etwall JMC	3	1	1	1	0
Audit Sub	5	2	2	0	1
Heritage Grants Sub	4	2	2	0	0

RESOLVED:

- 1.1 That Council approved and adopted the amendment to the recommended allocation of seats to the Political Groups and Non-Grouped Members for the municipal year 2022/23 in***
- 1.2 That the Council allocated seats between the Political Groups and Non-Grouped Members as per the amendment to Annexe 'A' of the report.***

CL/17 **ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE**

Councillor Bambrick presented the report to Council and thanked Members of the Overview and Scrutiny Committee for their work during the previous 12 months.

RESOLVED:

That Council received the Annual Report of the Overview and Scrutiny Committee for 2021/22.

CL/18 **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
Planning	20.07.21	PL/24 - PL/34
Planning	17.08.21	PL/35 - PL/47
Planning	14.09.21	PL/48 – PL/55
Planning	29.09.21	PL/56 – PL/62
Planning	12.10.21	PL/65 – PL/74
Planning	09.11.21	PL/75 – PL/85

CL/19 **TO APPOINT MEMBERS TO SERVE ON COMMITTEES, SUB-COMMITTEES, AND WORKING PANELS FOR THE MUNICIPAL YEAR**

Council was advised that appointments for the composition of Committees, Sub-Committees and Working Panels for the municipal year were as per those submitted in writing.

RESOLVED:

- (1) That the nominations of Members to serve on Committees, Sub-Committees and Working Panels for the remainder of the ensuing year, as set out at Annexe “B” to these Minutes be received and noted.***
- (2) That the appointments of Chair and Vice-Chair be approved as indicated in Annexe B” to these Minutes.***

CL/20 **TO APPOINT THE SUBSTITUTE PANELS**

Council was advised that appointments for the composition of Substitute Panels for the municipal year were as per those submitted in writing.

RESOLVED:

That the nominations of Members to serve on Substitute Panels, as set out at Annexe “C” to these Minutes, be received and noted.

CL/21 **TO APPOINT REPRESENTATIVES ON OUTSIDE BODIES**

Council was advised that Group Leaders the Representatives on Outside Bodies for the municipal year were as per those submitted in writing. The Leader of the Council requested that a review of Outside Bodies be undertaken to eliminate those no longer operating.

RESOLVED:

That the nominations of Members to serve on Outside Bodies, as set out at Annexe “D” to these Minutes, be received and noted.

CL/22 **TO APPOINT MEMBER CHAMPIONS**

Council was advised that Representatives of Member Champions for the municipal year we are those submitted in writing.

RESOLVED:

That the nominations of Members to serve as Member Champions, as set out at Annexe “E” to these Minutes, be received and noted.

CL/23 **TO APPOINT CHAIRS OF AREA FORUMS**

The Leader of the Council advised of the appointment of Labour Group Chairs of Area Forums.

The Leader of the Conservative Group advised Council of the Conservative Group Chairs to be appointed.

The Leader of the Independent Group advised of the Independent Group Chairs to be appointed.

RESOLVED:

That the following Chairs be appointed to the Area Forums as indicated below:

***Etwell Area Forum Councillor Brown
Linton Area Forum Councillor Pegg
Melbourne Area Forum Councillor Fitzpatrick
Newhall Area Forum Councillor Bambrick
Repton Area Forum Council MacPherson
Swadlincote Area Forum Councillor Mulgrew***

CL/24 **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.

TO CONFIRM THE EXEMPT MINUTES OF THE COUNCIL MEETING

The Exempt Minutes of the Council Meeting held on the 14th April 2022 (CL/144 - CL/146) 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>Planning Committee</i>	<i>29.09.21</i>	<i>PL/63 – PL/64</i>

The meeting terminated at 19:55 hours.

COUNCILLOR M GEE

CHAIR OF THE DISTRICT COUNCIL

COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS

2022/23

FINANCE AND MANAGEMENT COMMITTEE (13)

Labour Group (5)

Councillor Pearson (Chair), Councillor Rhind (Vice-Chair)
Councillors, Richards, Southerd and Taylor

Conservative Group (6)

Councillors Ackroyd, Corbin, Dawson, Fitzpatrick, Ford and Lemmon

Independent Group (1)

Councillors MacPherson

Non-Grouped (1)

Councillor Churchill

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE (13)

Labour Group (6)

Councillor Taylor (Chair), Councillor Pegg (Vice-Chair)
Councillors, Heath, Singh, and Southerd

Conservative Group (6)

Councillors Brown, Dawson Fitzpatrick, Haines, Muller and Redfern

Non-Grouped (1)

Councillor Amy Wheelton

HOUSING AND COMMUNITY SERVICES COMMITTEE (13)

Labour Group (5)

Councillor Rhind (Chair), Councillor Mulgrew (Vice-Chair)
Councillors Dunn, Richards and Shepherd.

Conservative Group (6)

Councillors Ackroyd, Corbin, Ford, Lemmon, Patten and Redfern

Independent Group (1)

Councillors Roberts

Vacant Seat (1)

PLANNING COMMITTEE (13)

Labour Group (6)

Councillor Tilley (Chair), Councillor Shepherd (Vice-Chair)
Councillors Dunn, Gee, Pearson and Southerd

Conservative Group (6)

Councillors Bridgen, Brown, Dawson, Haines, Redfern and Smith

Non-Grouped (1)

Councillor Wheelton

LICENSING AND APPEALS COMMITTEE (15)

Labour Group (6)

Councillor Gee (Chair)
Councillors, Dunn, Rhind, Richards, Southerd and Taylor

Conservative Group (6)

Councillors Ackroyd, Bridgen, Corbin, Haines, Hewlett and Patten

Independent Group (1)

Councillors MacPherson

Non-Grouped (1)

Councillor Churchill

Vacant Seat (1)

OVERVIEW AND SCRUTINY COMMITTEE (8)

Labour Group (3)

Councillor Bambrick (Chair), Councillor Stuart (Vice-Chair)
Councillor Gee

Conservative Group (4)

Councillors Atkin, Hewlett, Muller and Smith

Independent Group (1)

Councillor MacPherson

STANDARDS COMMITTEE (6)

Labour Group (3)

Councillors Pearson, Singh and Southerd

Conservative Group (3)

Councillors Atkin, Brown and Patten

JOINT CONSULTATIVE COMMITTEE (5)

Labour Group (2)

Councillors Richards and Southerd

Conservative Group (2)

Councillors Fitzpatrick and Ford

Vacant Seat (1)

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE (3)

Labour Group (1)

Councillor Shepherd

Conservative Group (1)

Councillor Muller

Independent Group (1)

Councillor MacPherson

AUDIT SUB-COMMITTEE (5)

Labour Group (2)

Councillor Dunn (Chair), Councillor Shepherd (Vice-Chair)

Conservative Group (2)

Councillors Atkin and Bridgen

Non-Grouped (1)

Councillor Wheelton

HERITAGE GRANTS SUB-COMMITTEE (4)

Labour Group (2)

Councillors Southerd and Taylor

Conservative Group (2)

Councillors Hewlett and Lemmon

**COMMUNITY AND ENVIRONMENT PARTNERSHIP GRANT SCHEME
ASSESSMENT PANEL (5)**

Labour Group (2)

Councillors Rhind and Shepherd

Conservative Group (2)

Councillors Brown and Haines

Independent Group (1)

Councillor Roberts

SUBSTITUTE PANELS 2022/23

FINANCE AND MANAGEMENT COMMITTEE

Labour Group (5)

Councillors Heath, Mulgrew, Pegg Singh and Tilley

Conservative Group (6)

Councillors Atkin, Brown, Haines, Muller Redfern and Watson

Independent Group (1)

Councillor Roberts

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

Labour Group (6)

Councillors Dunn, Rhind, Richards, Shepherd and Tilley.

Conservative Group (6)

Councillors Ackroyd, Bridgen, Corbin, Ford, Patten and Watson

HOUSING AND COMMUNITY SERVICES COMMITTEE

Labour Group (5)

Councillors Pegg, Pearson, Singh, Southerd and Tilley

Conservative Group (6)

Councillors Bridgen, Brown, Dawson, Fitzpatrick, Haines and Lemmon

Independent Group (1)

Councillors MacPherson

PLANNING COMMITTEE

Labour Group (6)

Councillors Pegg, Rhind, Richards and Taylor

Conservative Group (6)

Councillors Ackroyd, Corbin, Hewlett, Lemmon, Muller and Watson

JOINT CONSULTATIVE COMMITTEE

Labour Group (2)

Councillors Rhind and Taylor

Conservative Group (2)

Councillors Atkin and Smith

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE

Labour (1)

Councillor

Conservative Group (1)

Councillor Fitzpatrick

Independent Group (1)

Councillor Roberts

HERITAGE GRANTS SUB-COMMITTEE

Labour Group (2)

Councillors Shepherd and Tilley

Conservative Group (2)

Councillor Ford and Redfern

ANNEXE D**SCHEDULE OF PERSONS NOMINATED FOR SERVICES AS
REPRESENTATIVES OF THE COUNCIL
ON OUTSIDE BODIES FOR 2021/22**

Organisation	Representative(s)
1. Acre Lane, Shardlow Sand & Gravel Site Liaison Committee	Councillor P Watson
2. Arts Derbyshire	Councillor G Rhind
3. Active Derbyshire	Councillor D Pegg
4. Association of Retained Council Houses Ltd. (ARCH)	Councillor D Rhind Strategic Director (Service Delivery)
5. Central Midlands Audit Partnership Board	Councillor P Dunn Audit Sub-Committee Vice-Chair (sub)
6. Citizens Advice South Derbyshire and City (CASDAC)	Councillor G Rhind
7. Community Arts Project (“People Express”) Management Committee	Councillor M Mulgrew
8. Community Transport (Swadlincote) Management Committee	Councillor N Tilley
9. D2 Joint Committee For Economic Prosperity	Councillor K Richards Councillor T Southerd (sub)
10. Derby Airfield Consultative Committee	Councillor M Ford
11. Derby and Derbyshire Strategic Leadership Forum	Councillor K Richards Councillor T Southerd (sub) Chief Executive Monitoring Officer (sub)
12. Derby and Sandiacre Canal Trust Ltd	Councillor P Watson
13. Derbyshire Hate Crime Practitioners Network Meeting	Councillor L Singh
14. Derbyshire Partnership Forum	Councillor K Richards
15. Derbyshire Police and Crime Panel	Councillor G Rhind Councillor M Mulgrew (sub)
16. Donnington Park Racing Circuit Liaison Committee	Councillor P Watson Councillor N Atkin (sub)
17. East Midlands Airport Independent Consultative Committee	Councillor S Taylor Councillor M Fitzpatrick
18. East Midlands Airport Liaison Committee	Aston, Melbourne, and Repton Ward Members
19. East Midlands Arts	Councillor S Taylor
20. East Midlands Councils	Councillor K Richards

21. Elvaston Quarry Waste Disposal Site Liaison Committee	Councillor P Watson
22. Environmental Education Project Steering Group	Councillor D Pegg
23. Goseley Community Centre Committee	Councillor M Gee Councillor S Taylor
24. Heart of the Forest Forum	Councillor S Taylor
25. Hilton Harriers Mease Management Committee	Councillor Patten
26. Homestart	Councillor V Heath
27. Local Government Association (London)	Councillor K Richards (General Assembly) Councillor T Southerd (Rural Commission) Councillor S Taylor (Urban Commission)
28. Local Government Information Unit	Councillor K Richards Councillor T Southerd (sub)
29. Melbourne Sporting Partnership	Strategic Director (Service Delivery)
30. New Albion Revised Liaison Committee	Councillor S Taylor
31. Parking and Traffic Regulations (outside London) Adjudication Joint Committee	Councillor R Pearson
32. Pingle Artificial Turf Pitch Management Group	Councillor M Mulgrew
33. Relate	Councillor T Southerd
34. Rosliston and Caldwell Village Hall Management Committee	Councillor D Pegg
35. Rosliston Forestry Centre Management Executive	Councillor G Rhind Councillor S Taylor
36. Rosliston Forestry Community Group	Councillor Wheelton
37. Rural Action Derbyshire	Councillor T Southerd
38. Safer South Derbyshire Partnership Strategic Group	Councillor K Richards Councillor G Rhind (sub)
39. Shardlow Heritage Trust Council of Management	Councillor N Atkin
40. Sharpe's Pottery Heritage & Arts Trust Ltd.	Councillor S Taylor Councillor G Rhind Project Liaison Officer
41. Sir John Port and John Osbourne Almshouses Charitable Trust	Councillor D Muller
42. Social Care Forum	Councillor G Rhind Councillor M Mulgrew
43. South Derbyshire CVS	Councillor G Rhind Councillor K Richards
44. South Derbyshire Mental Health Association	Councillor TBA

45. South Derbyshire Music Trust Management Committee	Councillor S Taylor
46. South Derbyshire Partnership	Councillor K Richards Councillor T Southerd Councillor A Wheelton Strategic Director – Service Delivery
47. South Derbyshire Strategic Sports Group	Councillor N Tilley Councillor R Pearson (sub)
48. Swarkestone Pit, Barrow-on-Trent Sand and Gravel Site Liaison Committee	Councillor P Watson Councillor A MacPherson
49. Toyota Community Liaison Committee	Councillor K Richards Councillor S Taylor
50. Willshee's Skip Hire Ltd Site Liaison Committee	Councillor D Pegg
51. Central Building Control Partnership – Partnership Advisory Board	Councillor S Taylor

ANNEXE E

MEMBER CHAMPIONS 2022/23

Armed Forces Covenant	Councillor Atkin
Arts & Culture	Councillor Hewlett
Consultation, Communication & Engagement	Councillor Pearson
Corporate Plan	Councillor Ford Councillor Pearson
Design (Planning)	Councillor Tilley
Engagement	Councillor Ford
Environment, Waste & Recycling	Councillor Taylor
Equality & Diversity	Councillor Singh
Health & Safety	Councillor Watson Councillor Taylor
Health & Wellbeing	Councillor Bambrick
Historic Environment	Councillor Southerd
Information Technology	Councillor Tilley
Older People	Councillor Gee
Performance & Data Quality	Councillor Pearson
Procurement & Business Improvement	Councillor Southerd
Risk Management	Councillor Taylor
Safeguarding	Councillor Pegg
Training	Councillor Ford Councillor Southerd
Voluntary Sector	Councillor Rhind
Young People	Councillor Pegg