

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way,
Swadlincote on 8th April 2004
at 6.00 p.m.

PRESENT:-

Labour Group

Councillor Mrs. Mead (Vice-Chair) and Councillors Bambrick, Bell, Carroll, Dunn, Isham, Jones, Lane, Lauro, Murphy, Richards, Shepherd, Southerd, Southern, Stone, Taylor and Whyman, M.B.E.

Conservative Group

Councillor Bale (Chair) and Councillors Atkin, Bladen, Ford, Harrison, Mrs. Hood, Hood, Nalty, Mrs. Renwick and Mrs. Walton.

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Harrington, Mulgrew, Pabla and Wilkins (Labour Group) and Councillors Lemmon, Martin and Mrs. Wheeler (Conservative Group).

Councillor Dunn advised Members that he understood that Councillor Mulgrew's wife had recently suffered a heart attack and Members expressed their condolences accordingly.

CL/125. **MINUTES**

The Open Minutes of the Meeting of the Council held on 26th February 2004 (Minutes Nos. CL/110 - CL/122) were taken as read, approved as a true record and signed by the Chair.

(At this point, Councillor Shepherd joined the Meeting).

CL/126. **CHAIR'S ANNOUNCEMENTS**

The Chair advised that his Civic Dinner had raised £470 for his charity appeal and expressed his gratitude to all those who had supported the function. The Chair reported on several functions he had attended, including a visit to the Tara Buddhist Centre at Etwall, Grangewood Zoo, Shardlow Heritage Centre and the JCB world headquarters at Rocester. The Chair reminded Members that Councillor Lane had kindly agreed to participate in the London Marathon on 18th April in aid of the Chair's Charity Appeal and all sponsorship would be welcomed. Forthcoming events included a charity Caribbean Evening on 7th May 2004, the Gresley Male Voice Choir's Annual Gala Concert on 15th May 2004 and the Charity Golf Competition at Branston Golf and Country Club on 21st May 2004.

The Chair introduced Special Constable Mick Harrington from Melbourne, who had given up part of his spare time for the previous eighteen years to support the Police in the community. He had also served as a parish councillor for four years and was actively involved in the Melbourne Wakes and other local events. Special Constable Harrington was an outstanding

example of a committed local citizen and the Chair requested him to provide Members with a brief insight into his work alongside Derbyshire Police. Members then took the opportunity to ask several questions to Special Constable Harrington on his work.

CL/127. **LEADER'S ANNOUNCEMENTS**

The Leader referred to Minute No. CL/119 of the previous Council Meeting held on 26th February 2004 relating to representation on the Southern Derbyshire NHS Members Council. He advised that at the last meeting of the Derbyshire Local Government Association (LGA), it had been agreed that the LGA would submit the two nominees and accordingly, it was no longer necessary for this Council to reconsider the matter.

Further to Minute No. CL/116 of the last Council Meeting in connection with the Notice of Motion carried relating to Corporal Russell Aston, the Leader advised that a response had now been received from the Ministry of Defence and the Leader read the contents of the letter to Members.

CL/128. **CHIEF EXECUTIVE'S ANNOUNCEMENTS**

The Chief Executive advised that the Election Purdah would commence on 13th May 2004 for the forthcoming European Parliamentary Elections on 10th June 2004.

CL/129. **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

It was reported that, pursuant to Council Procedure Rule No. 11, Councillor Whyman M.B.E. had given notice of a question, as follows:-

"It has recently been brought to my attention that ITV intends to close its East Midlands studio complex, cutting 200 jobs, and moving its news base to Birmingham.

Do you consider that this proposal should be resisted; given that:

- (1) thousands of local people claim the local ITV company is their main source of local news;
- (2) producing East Midlands reports from a West Midlands base is likely to affect the quality and quantity of such; and
- (3) regional programme producers and others associated with East Midlands award winning programmes, are likely to lose their jobs?

Members expressed their disappointment at this decision and although it was understood that the decision was final, Members felt that the Council should still register its objection.

RESOLVED:-

That an appeal be made to both OFCOM and the Select Committee on Culture, Media and Sport, requesting them to intervene to save the East Midlands News.

CL/130. **REPORTS OF COMMITTEES**

RESOLVED:-

That the Open reports of the following Committees be received and noted and any recommendations contained therein be approved and adopted, subject to any matters annotated:-

Development Control Committee, 2nd March 2004 (Minutes Nos. DC/110 - DC/116)

Environmental and Development Services Committee, 4th March 2004 (Minutes Nos. EDS/71 - EDS/77)

Minute No. EDS/72, Removal of Payphones – Members queried progress on arrangements for the proposed meeting with British Telecommunications plc and the Deputy Chief Executive agreed to pursue the matter and advise the Members concerned. Councillor Taylor reported that the situation in Woodville on this matter had now been resolved.

Minute No. EDS/76, Local Authority Waste Management Performance Reward Grant Consultation Paper – Councillor Harrison asked whether any further information was available from DEFRA on the failure of the recent grant bid. The Chair of the Committee advised that no additional information had yet been received.)

Licensing and Appeals Committee, 8th March 2004 (Minutes Nos. LA/16 – LA/17)

Housing and Community Services Committee, 11th March 2004 (Minutes Nos. HCS/99 - HCS/107)

(The Chair of the Committee advised that a continuation of funding in respect of the Walbrook Housing Project at Alexandra Road, Swadlincote had now been agreed.)

Finance and Management Committee, 18th March 2004 (Minutes Nos. FM/106 - FM/110)

(Minute No. FM/108, The Equality Standard for Local Government – Councillor Carroll requested consideration to be given to the inclusion of poverty issues in the criteria to achieve Level 1 of the Equality Standard and the Deputy Chief Executive agreed to investigate accordingly.

Councillor Isham referred to the recent Equality and Diversity training for Members on 6th and 7th April 2004 and expressed her gratitude for the excellent sessions provided. A further session would be arranged for those Members who were unable to attend.)

Community Scrutiny Committee, 22nd March 2004 (Minutes Nos. CYS/45 - CYS/50)

(Minute No. CYS/46, Compost Scheme – Councillor Harrison queried the location of the further 6,000 households in connection with the extension of the scheme. The Chair of the Committee advised that certain areas of Newhall were included and he would ascertain the remainder for the Member concerned.

Minute No. CYS/46, Grass Cuts – Councillor Harrison queried the number of cuts undertaken per annum together with the number

funded by the County Council and Councillor Bambrick agreed to provide a written response to the Member concerned.

Minute No. CYS/46, Launch of Kerbside Collection Scheme – Councillor Southerd expressed thanks to those who had attended the recent launch of the Kerbside Collection Scheme.)

Development Control Committee, 23rd March 2004 (Minutes Nos. DC/117 – DC/124)

(Following a query by Councillor Harrison, it was agreed that a letter be submitted to all Members advising of the need to state planning reasons, when proposing a vote directly against a recommendation of the Planning Services Manager at Meetings of the Development Control Committee.)

Corporate Scrutiny Committee, 29th March 2004 (Minutes Nos. COS/55 – COS/62)

CL/131. **NOTICES OF MOTION**

- (a) It was reported that, in accordance with Council Procedure Rule No. 12, Councillor Harrison had submitted the following motion:-

“This Council reintroduces forthwith the valued free of charge service of periodically collecting bulk items of waste from central points in rural communities across South Derbyshire, which became a chargeable service at the time of the need to introduce financial constraints”.

Councillor Harrison proposed the motion, which was duly seconded. Following a detailed debate, Councillor Whyman proposed the following amendment to the motion, which was duly seconded.

“With regard to the free collection of bulk items of waste from central points in rural communities across South Derbyshire, Officers be requested to consider the reinstatement of this service and submit a report to an appropriate meeting of the Environmental and Development Services Committee which details the implications for human, physical and financial resources to enable that Committee to make a determination on the subject and which will enable it to be scored and considered at a future meeting of the Service and Financial Planning Working Panel”.

On this basis, Councillor Harrison withdrew his original motion. The above amendment was put to a vote and carried.

RESOLVED:-

That the motion, as set out below, be carried.

“With regard to the free collection of bulk items of waste from central points in rural communities across South Derbyshire, Officers be requested to consider the reinstatement of this service and submit a report to an appropriate meeting of the Environmental and Development Services Committee which details the implications for human, physical and financial resources to enable that Committee to make a determination on the subject

and which will enable it to be scored and considered at a future meeting of the Service and Financial Planning Working Panel”.

- (b) It was reported that, in accordance with Council Procedure Rule No. 12, Councillor Whyman M.B.E. had submitted the following motion:-

“This Council supports the Derbyshire County Council proposals to:-

- (1) Build a 40-bed residential care home at Castle Gresley, Arthur Street.
- (2) Close Oaklands and South Lodge.
- (3) Build a 16-24 bed dementia unit on the Oaklands site.

Additionally, the proposals should address the following issues that are of concern to the District Council.

- (1) Include an exclusive community transport bus facility to provide the essential link for the residents of the new care home.
- (2) Develop as a matter of urgency with partner agencies and stakeholders ‘extra care’ facilities to redress the reduction in care capacity contained in the existing proposals.
- (3) Endeavour to improve the partner relationship with this District Council to develop services in South Derbyshire to our mutual benefit.
- (4) Give every assistance to the endeavours being made to relocate the existing child and youth services that are affected by the proposals.”

Councillor Whyman proposed the motion, which was duly seconded. It was debated and, on a vote, it was,

RESOLVED:-

That the motion be carried.

CL/132. **SEALING OF DOCUMENTS**

RESOLVED:-

That the Sealed Documents listed at Annexe SMB1 to the Signed Minute Book, which have no specific authority, be duly authorised.

CL/133. **TIMETABLE OF MEETINGS 2004/05**

Members considered a proposed timetable of Meetings for 2004/05.

RESOLVED:-

That the timetable of Meetings for 2004/05 attached at Annexe ‘A’ to these Minutes be approved.

CL/134. REPRESENTATION ON WEST STREET COMMUNITY PARTNERSHIP

It was reported that a letter had been received from the West Street Community Partnership, Swadlincote, inviting the Council to nominate a Trustee to the Partnership, which had a vision to redevelop community facilities at the West Street premises owned by the Methodist Church. In order to realise this vision, it was acknowledged that the partners needed to formalise their working arrangements. The first step had now been achieved and the West Street Partnership had been registered as a Company Limited by Guarantee. The necessary process to become a registered charity had also been commenced.

The Partnership's Memorandum and Articles of Association had provision for four classes of membership and in this Council's case, the nomination of one person to serve as a Trustee was required. There was no cost in becoming a member and the limit of individual financial liability was £1.

RESOLVED:-

That Councillor Lauro be appointed by this Council to serve as a Trustee on the West Street Community Partnership.

CL/135. COMPLETION OF HILTON PRIMARY SCHOOL FOLLOWING A SECTION 106 AGREEMENT FROM THE HILTON DEPOT DEVELOPMENT

It was reported that a letter had been received from the County Education Authority relating to the forthcoming completion of the Hilton Primary School and the associated Section 106 Agreement in connection with the residential development at the former Hilton Depot. This was the first significant Section 106 Agreement for education provision in Derbyshire and, together with the gift of land now forming the large school playing field, set in motion the preparation of the master plan for the final school. This was due to be completed in December 2004 and would be the largest primary school within the County of Derbyshire. The total funding invested by the County Council from various sources would be approximately £3.5 million.

To mark this occasion, the County Education Authority had invited Members of this Council to view the result of this extended model of corporate co-operation and the Cabinet Member, Councillor Alan Charles had suggested that he and the Governors meet with Members for an informal tour of the new school.

RESOLVED:-

That the County Council's invitation to visit Hilton Primary School following completion of the provisions of the Section 106 Agreement be accepted.

CL/136. SOUTH DERBYSHIRE COMMUNITY STRATEGY – UPDATE ON PROGRESS

Members were reminded that the Local Government Act 2000 provided the Council with new powers to promote or improve the economic, social or environmental well being of the District. This was linked to a duty to prepare a Community Strategy with a Local Strategic Partnership (LSP) and to involve local people fully in the process. The LSP's first Annual General Meeting had

been held at the Bretby Conference Centre on 24th October 2003 when the Constitution was formally adopted and the Board nominations confirmed. A project brief for the preparation of the Community Strategy was also approved for consultation and a 'Visioning Event' had been held on 28th January 2004 to determine an overall vision for the Partnership, the possible themes for the Community Strategy and some governing principles.

The results of these exercises together with a suggested programme for preparing the Community Strategy were considered at the LSP Board Meeting on 18th March 2004 and a vision of 'Working Together for a Better South Derbyshire' had been agreed. The Board had also agreed the main themes for the Strategy together with a lead Board Member for each and endorsed a programme for the preparation for the Community Strategy. A series of thematic meetings was presently being arranged to determine baseline positions, the issues and suggestions for action to form the basis for the draft Strategy.

RESOLVED:-

That the report be noted.

CL/137. **CORPORATE PLAN – TARGETS AND MILESTONES**

Members were reminded that the current Corporate Plan, approved by the Council in December 2003, covered a period of three years from April 2004 to March 2007. Its purpose was to set out the Council's vision and ambitions for South Derbyshire, explain the Council's plans and priorities for service delivery, provide a framework for the Council's contribution to local and regional partnerships, including the recently established South Derbyshire Local Strategic Partnership and help local people and organisations to become more involved in the work of their Council.

The Plan was built around eight key aims and for each of these aims, there was a number of three year targets and first year milestones. In order to ensure that the Plan was delivered effectively, it was necessary to identify and agree Committee and Service Plan responsibilities for targets and milestones. Members considered proposed responsibilities together with Lead Officers and it was anticipated that policy committees would play an important role in shaping proposals and monitoring and reviewing performance in achieving targets and milestones. With regard to the ongoing proposals to review the senior management structure, some consequential changes to Service Plan responsibilities may be required when the proposals had been finalised.

The next steps involved reporting to the April cycle of committees on specific areas of responsibility and seeking views on how Members may wish to proceed, and finalising the draft Service Plans for 2004/07 in the light of agreed Corporate Plan responsibilities and the 2004 budget proposals. It was intended to submit regular reports to the Council on the delivery of the Corporate Plan and the first report would be submitted during July/August 2004.

Members acknowledged the ongoing significant work input on this matter by the Deputy Chief Executive and the Policy and Best Value Manager.

RESOLVED:-

- (1) That the Committee and Service Plan responsibilities for Corporate Plan targets and 2004/05 milestones, as set out in the report, be approved.***
- (2) That the Chief Executive, in consultation with the Leader of the Council, be authorised to make any consequential changes to Service Plan responsibilities following the proposed review of the senior management structure.***

CL/138. **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.

MINUTES

The Exempt Minutes of the Meeting of the Council held on 26th February 2004 were duly received and approved.

REPORTS OF COMMITTEES

The Exempt reports of the following Committees were received and noted and any recommendations contained therein approved and adopted:-

Environmental and Development Services Committee, 4th March 2004

Licensing and Appeals Committee, 8th March 2004

Housing and Community Services Committee, 11th March 2004

Finance and Management Committee, 18th March 2004

Development Control Committee, 23rd March 2004

COMPREHENSIVE PERFORMANCE ASSESSMENT UPDATE (Paragraph 12)

Following the approval of the Chair that this item should be considered as a matter of urgency due to time constraints within the Audit Commission's programme and appeal timetable, Members considered a report on the current position on the Council's Comprehensive Performance Assessment and the future programme and authorised the Chief Executive, in consultation with the Leader, to respond to the final report.

M.J.P. BALE

CHAIR