

MINUTES of the MEETING
of the SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way, Swadlincote
on 5th July 2012
at 6.00 p.m.

PRESENT:-

Conservative Group

Councillor Bale (Chairman), Councillor Mrs. Hood (Vice-Chairman) and Councillors Atkin, Mrs. Brown, Ford, Mrs. Hall, Harrison, Hewlett, Jones, Lemmon, Murray, Mrs. Patten, Mrs. Plenderleith, Roberts, Smith, Stanton, Mrs. Watson, Watson and Wheeler.

Labour Group

Councillors Bambrick, Bell, Chahal, Dunn, Frost, Mrs. Mead, Pearson, Rhind, Richards, Shepherd, Southerd, Stuart, Taylor, Tilley and Wilkins.

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Mrs. Heath and Mulgrew (Labour Group).

CL/27. **MINUTES**

The Open Minutes of the Annual Meeting of the Council held on 17th May 2012 (Minutes Nos. CL/1-CL/22), of the Civic Meeting of the Council held on 29th May 2012 (Minutes Nos. CC/1-CC/5) and of the Extraordinary Meeting of the Council held on 28th June 2012 (Minutes Nos. CL/25-CL/26) were taken as read, approved as true records and signed by the Chairman, subject to the insertion of the word "Councillors" immediately after Chairman in the final line of Minute No.CC/4.

CL/28. **DECLARATIONS OF INTEREST**

Councillors Ford, Jones and Mrs. Patten declared a personal interest in the exempt report on Land at Church Gresley, as Members of Derbyshire County Council. Councillors Harrison and Murray declared a prejudicial interest in the same item in view of their roles as Members of Derbyshire County Council. Councillor Mrs. Brown declared a personal interest in respect of the report on the Etwall Leisure Centre Joint Management Committee, as a Governor of the John Port School. Councillor Stuart declared a personal interest in respect of the Open Minutes of the Finance and Management Committee held on 21st June 2012, relating to a question on school admissions.

CL/29. OLYMPIC PRESENTATION

The Chairman of the Housing and Community Services Committee introduced David Joy, a Director of Derbyshire Sport and Hannah Barradell-Smith, the Council's Sport and Health Partnership Manager. A joint presentation was provided, which included an Olympic Torch parade, involving torch bearers Karen Cresswell and Tom Taylor, together with Rory Slater the Derbyshire 2012 co-ordinator and international sportswoman Emma Pass. David Joy then gave a presentation on the work of Derbyshire Sport, before introducing Andy Wood of the Derbyshire Institute of Sport and Podium Scheme. A presentation was given by Mr. Wood, the former Great Britain Badminton Coach and then interviews took place with the torch bearers. Apologies were submitted on behalf of Mr. Tommy Goodwin, who had represented the Country at the 1948 Olympics, but unfortunately was unable to attend on this occasion. There was a discussion with Emma Pass on her role as an international basketball player, which included a presentation by the Chairman of the Council in recognition of her service to sport. There was also a video presentation and a photographic montage of the events to commemorate both the Queen's Diamond Jubilee and the build up to the Olympics. The presentations were applauded by Members and closing comments were provided by the Chief Executive and Mr. Joy.

CL/30. CHAIRMAN'S COMMUNICATIONS

The Chairman read a letter of thanks from Her Majesty, the Queen in response to a letter of congratulations sent to mark the occasion of her Diamond Jubilee. He then read a quote about the role of the Chairman and thanked the Council for appointing him as Chairman for the forthcoming year. The Chairman also referred to recent events that he had attended.

CL/31. HEAD OF PAID SERVICE ANNOUNCEMENTS

An update was provided on the feasibility study undertaken and planned safety measures to improve a pedestrian crossing at Rink Drive, Swadlincote. Details of the proposals were available for Members to view. It was reported that the Council had been ranked 8th out of 324 local authorities nationally in terms of the growth of businesses in its area. The Swadlincote Tourist Information Centre had been recognised as 14th best nationally and 2nd in the East Midlands area. Reference was also made to a recent event to give employment advice to 16 – 24 year olds. With regard to the Pipeworks development, this was now fully let, it being reported that remaining units had been taken by Brantano Shoes, JYSK, and there were two further food retail outlets. The Chief Executive also referred to Futaba, based at Dove Valley. This week, the Company had announced that it would be expanding with 100 new jobs and he displayed a gift given to the Council by the President of Futaba, on behalf of the Company.

CL/32. **REPORTS OR 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:-

Licensing and Appeals Sub-Committee, 17th May 2012 (Minute No. LAS/24)

Finance and Management Committee (Special), 22nd May 2012 (Minutes Nos. FM/1 – FM/2)

Environmental and Development Services Committee, 31st May 2012 (Minutes Nos. EDS/1 – EDS/8)

(Minute No. EDS/4 – A Member submitted a question regarding the North West Leicestershire Core Strategy. It was confirmed that the comments raised during the Committee were reflected in the response to that Authority and the offer was made to circulate a copy of the response to the Member in question.)

Planning Committee, 7th June 2012 (Minutes Nos. PL/1 – PI/14)

Standards Committee, 13th June 2012 (Minutes Nos. SC/1 – SC/5)

Housing and Community Services Committee, 14th June 2012 (Minutes Nos. HCS/1 – HCS/13)

(Minute No. HCS/4 – the Chairman of the Overview and Scrutiny Committee sought clarification on the recommendations approved following the scrutiny review of Funded Voluntary Organisations. It was confirmed that the Scrutiny Committee had been asked to consider the criteria to be used for expenditure of the identified additional resources and to make further recommendations on this to the Housing and Community Services Committee in October.)

(Minute No. HCS/6 – Thanks were recorded to the staff involved in organising events in The Delph area of the Town Centre).

Finance and Management Committee, 21st June 2012 (Minutes Nos. FM/3 – FM/16).

(Minute No. FM/8 – A Member questioned whether the education contributions from Section 106 funding would be considered as part of future LDF consultations. A particular issue highlighted was primary school provision in the Church Gresley area. A response was provided recognising the need for infrastructure, to meet the needs generated by development, including education needs. A further question was submitted regarding eligibility for such funding for schools with

academy status. This issue had been referred to Derbyshire County Council and a response was awaited. It was noted that there was the need for clarification on how such funding would be distributed.)

Planning Committee, 26th June 2012 (Minutes Nos. PL/16 – PL/24)

Overview and Scrutiny Committee, 27th June 2012 (Minutes Nos. OS/1 – OS/4)

Finance and Management Committee (Special), 28th June 2012 (Minutes Nos. FM/21 – FM/22)

Area Forums

Melbourne, 18th April 2012 (Minutes Nos. MA/24 – MA/28)

Swadlincote, 24th April 2012 (Minutes Nos. SA/27 – SA/33)

(Minute No. SA/29 – A Member expressed disappointment at the County Council's response following the request for senior officer attendance at this Meeting. The County Council had subsequently confirmed that the Forum Liaison Officer was the conduit from the these Meetings back to Derbyshire County Council and it was not in a position to provide bespoke support to every Area Forum across the County.)

Repton, 1st May 2012 (Minutes Nos. RA/26 – RA/30)

Newhall, 3rd May 2012 (Minutes Nos. NA/29 – NA/34)

Etwall, 10th May 2012 (Minutes Nos. EA/28 – EA/35)

Linton, 15th May 2012 (Minutes Nos. LA/20 – LA/27)

(Minute No. LA/21 – The Chairman of the Area Forum responded to a question, clarifying the appointment of the Vice-Chairman.)

CL/33. ETWALL LEISURE CENTRE - CONSTITUTION

It was reported that, following the successful completion and opening of the new Etwall Leisure Centre, a new constitution was required for its operation. The governing body of the John Port School, the District Council and the County Council had been working together to prepare a revised constitution, a copy of which was appended to the report submitted.

RESOLVED:-

- (1) That the Council approves the establishment, constitution and powers of the Etwall Leisure Centre Joint Management Committee.**
- (2) That Council appoints three Members to the new Etwall Leisure Centre Joint Management Committee, being two Members of the Conservative Group and one Member of the Labour Group.**

CL/34. POLITICAL PROPORTIONALITY

The Council was asked to consider its political proportionality for the remainder of the municipal year 2012/13, following the changes to the Standards Committee agreed at the Extraordinary Council Meeting on 28th June and the review of the Etwall Leisure Centre Joint Management Committee under the previous item. The Council's duty to determine the allocation of seats was prescribed by the Local Government and Housing Act 1989, as modified by the Local Government (Committees and Political Groups) Regulations 1990.

A report was submitted which confirmed the political composition of the Council. It also set out the requirements to review representation.

RESOLVED:-

- (1) *That the Council approves and adopts the revised allocation of seats to the Political Groups for the remainder of the municipal year 2012/13.*
- (2) *That the Council allocates seats between the Political Groups as set out at Annexe "A" to these Minutes and invites the two Groups to make nominations to fill the seats.*

CL/35. COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS

Members reviewed the composition of Committees, Sub-Committees and Working Panels, following the preceding reports.

RESOLVED:-

- (1) *That the following Members be appointed to the Committees indicated below:*

Standards**Conservative Group**

Councillor Harrison (Chairman), Councillor Stanton (Vice-Chairman) and Councillor Bale.

Labour Group

Councillors Mrs. Mead and Pearson (plus one Member to be confirmed).

Etwall Leisure Centre Joint Management Committee**Conservative Group**

Councillors Bale and Lemmon.

Labour Group

Councillor Shepherd.

- (2) *That with regard to the Licensing and Appeals Sub-Committee Councillor Wheeler is appointed and Councillor Bambrick is withdrawn from this Sub-Committee.*
- (3) *That Councillor Shepherd replaces Councillor Richards as a Member of the Housing and Community Services Committee.*
- (4) *That Councillor Stuart replaces Councillor Shepherd as a Member of the Environmental and Development Services Committee.*

CL/36. **COMPOSITION OF SUBSTITUTE PANELS**

RESOLVED:-

That Councillors Mrs. Hood and Roberts (Conservative Group) and Councillor Chahal (Labour Group) be appointed as Substitute Members of the Etwall Leisure Centre Joint Management Committee.

CL/37. **REPRESENTATION ON OUTSIDE BODIES**

RESOLVED:-

That Councillor Mrs. Hall replaces Councillor Murray as the Council's representative on Community Transport (Swadlincote) Management Committee.

CL/38. **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 Annual Meeting of the Council held on 17th May 2012, 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:

Licensing and Appeals Sub-Committee, 17th May 2012

Environmental and Development Services Committee, 31st May 2012

Planning Committee, 7th June 2012

Housing and Community Services Committee, 14th June 2012

Finance and Management Committee, 21st June 2012

LAND AT CHURCH GRESLEY (Paragraph 3)

The Council approved proposals for the disposal of an area of land at Church Gresley.

LAND AT WOODVILLE (Paragraph 3)

The Council approved recommendations for the disposal of an area of land at Woodville.

M.J.P. BALE

CHAIRMAN