

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Thursday 7th April 2016
at 6.00pm

PRESENT:-

Conservative Group

Councillor Atkin (Chairman), Councillor Murray (Vice Chairman), Councillors Billings, Mrs Coe, Coe, Mrs Coyle, Mrs Farrington, Ford, Grant, Mrs Hall, Harrison, Hewlett, MacPherson, Muller, Mrs Patten, Mrs Plenderleith, Roberts, Smith, Stanton, Swann, Watson, Wheeler and Mrs Wyatt.

Labour Group

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

CL/126 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Mrs Brown (Conservative Group) and Councillor Dr. Pearson (Labour Group).

CL/127 **PRESENTATION**

The Chairman welcomed Michael Fitzgerald, Northgate Public Services Manager, to the meeting. Mr Fitzgerald introduced the apprentices; Corey Worthington, Jessica Toon, Kayley Marson, Kerrie Montgomerie, Lauren Thrupp, Natalie Brooks, Hannah Mansfield and Rebecca Tilson who were all presented with a South Derbyshire District Badge by the Chairman and Chief Executive prior the Meeting.

The Leader, on behalf of the Members, congratulated the apprentices and thanked Michael Fitzgerald for his presentation.

CL/128 **OPEN MINUTES OF THE COUNCIL**

The Open Minutes of the Council Meeting held on 29th February 2016 (Minute Nos. CL/106-CL/121) were approved as a true record.

CL/129 **DECLARATIONS OF INTEREST**

The Chairman declared a pecuniary interest in relation to Item 16. Community Governance Review, by the way of his family owning farm land in the parished area of Barrow upon Trent, and informed Council that he would leave the Chamber whilst this item was discussed.

CL/130 ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman of the Council outlined the various engagements he had attended since the last Council on 29th February 2016, in particular a visit to Burton & South Derbyshire College for the launch of the Print & Sign Academy in association with Hardy Signs. The Academy will enhance the college's design based programmes from Level 1 to University Level, provide training facilities for local businesses and retain unemployed people in partnership with Job Centre Plus. He attended, on behalf of the Rainbow Hospice, a concert held at Derby Cathedral where a performance by The Kingsmen Choral Scholars supported by the Girls & Boys Choir of Foremark was held in the memory of late Sophie Bryne who passed away last year. The Chairman's other engagements in March included; the Civic funeral held at St. Mary's Parish Church in Uttoxeter, for the County Councillor, Alderman and former Mayor of East Staffordshire Geoff Morrison BA; the announcement of Commonwealth Day and the unveiling of the blue Commonwealth Flag on the 14th March; the *opening/starting* of the Sport Relief Run at Swadlincote Woodlands; the service at Moira Centenary Methodist Church conducted by Reverend Alan Dawson; a guided tour of Gibson Technology (formally Zytec) in Repton; the Toyota City Cultural evening at Burton & South Derbyshire College celebrating the conclusion of a 12-day tour for 16 students from Toyota City in Japan; the re-launch of the pleasure boat Mercia Swan at Mercia Marina; the first Farmer's Market of the year and the opening of Newhall Skate Park. The Chairman ended his announcement by inviting Councillors to buy a ticket to join him at his table at the grand Charity Ball in aid of The Derbyshire Children's Holiday Centre to celebrate their 125th anniversary; as well as the opportunity to join him on a sponsored charity walk on 14th May at Mercia Marina.

CL/131 ANNOUNCEMENTS FROM THE LEADER

The Leader of the Council extended his appreciation on behalf of Members to Council employees, in particular Tim Summers and Lee Carter, for their support in providing drinking water to residents, in particular the most vulnerable, in affected areas of Swadlincote when Severn Trent experienced an issue relating to too much chlorine in the water supply in certain areas of South Derbyshire.

CL/132 ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE

The Head of Paid Service referred to the Leader's announcement and stated that all 17,000 affected households in Swadlincote had immediately received 2 litres of bottled water, the most vulnerable receiving 5 litres. Officers had spent 174 hours on the Friday and 84 hours on the Saturday supporting the community.

The Head of Paid Service extended his gratitude to Officers for their hard work in helping to successfully deliver the first Swadlincote Wedding Fair, which had taken place on Sunday 3rd April. The event was a tremendous success, with support from Burton & South Derbyshire College students, who had designed the poster, around 50 local businesses and many residents.

The Head of Paid Service ended his announcements by saying that the Secretary of State had attended the opening of Nestlé's extended Derbyshire production plant in Hatton, creating over 400 new jobs for South Derbyshire.

CL/133 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council were informed that no questions had been received.

CL/134 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council were informed that no questions had been received.

CL/135 **SEALED DOCUMENTS**

26.02.16 11320 Transfer – 72 Darklands Road, Swadlincote
14.03.16 11326 Transfer – 69 Salisbury Drive, Midway

RESOLVED:

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

CL/136 **GAMBLING ACT 2005: LOCAL AREA PROFILE PLAN**

The Senior Licensing Officer presented the report to Council informing them of the outcome of the consultation with interested parties, which had taken place between 22nd February 2016 and 18th March 2016.

RESOLVED:-

That Members approved and adopted the Council's Gambling Act 2005 Local Area Profile Plan.

CL/137 **SAINSBURY'S WASTE LESS SAVE MORE PARTNERSHIP: GRANT AWARD OUTCOMES AND FINANCIAL IMPLICATIONS**

The Chief Executive presented the report to Council for approval of the allocation of resources for the continuation of the work with Sainsbury's to achieve the project's aim of reducing a) the amount of food disposed of in the urban area by 50%, and b) spending on food by £350 per household. He had attended a summit in Derby designed to encourage people to reduce waste. Swadlincote was referred to as the pioneering town of the Waste less, Save more initiative.

Councillor Watson reiterated the Chief Executive's words, as he had also attended the event, and informed Members that a concern, relating to the difficulties some smaller volunteer groups faced when applying for funding, had been brought to his attention. He had since then contacted Debbie Clarke, Corporate Affairs and Communications Manager and Paul Crew, Sainsbury's

Head of Sustainability at Sainsbury's, and a meeting to discuss the issue had been arranged.

RESOLVED:-

1.1 That the development of the Waste Less, Save More Partnership and associated Council projects be approved.

1.2 That £35,000 be allocated from the General Fund Reserve to enable the Business and Recycling Manager to be seconded to the Partnership.

1.3 That the Council's Contract Procedure Rules (Tendering Procedures) be set-aside in order to purchase a specialised vehicle for operational delivery.

1.4 That a small contingency budget of £5,000 per year be set-up to meet any running costs of the specialised vehicle beyond December 2016.

1.5 That any additional personnel employed on a temporary basis to deliver projects would comply with the Council's HR processes and be cost neutral.

1.6 That all income and expenditure associated with projects and grant funding would comply with the Council's Financial Procedural Rules.

1.7 That any further Environmental Education Schemes as outlined in the report be added to the delivery programme if there were no further resource implications for the Council.

CL/138 **SWADLINCOTE TOWNSCAPE ACTIVITY PLAN**

The Director of Planning and Community Services presented the report to Council for its approval of the delivery of the Heritage Lottery funded Swadlincote Townscape Activity Plan 2016-18, which included the appointment of a Town Crier, the creation of a heritage trail and the redevelopment of the Diana Memorial Garden.

RESOLVED:-

1.1 That the ongoing delivery of the Swadlincote Townscape Heritage Scheme Activity Plan 2016-18 be approved including reference to key elements which have a high profile (i.e. Town Crier)

1.2 That processes for the development of the Heritage Trail and the redevelopment of the Diana Memorial Garden be agreed in principle. This included permission to seek further funds to make the Heritage Trail larger than the initial Heritage Lottery Fund funding would support, and permission to appoint People Express Arts to lead the public consultation on arts features and design/make those features.

1.3 That any additional personnel employed on a temporary / casual basis to deliver projects e.g. Town Crier, comply with the Council's HR processes and be cost neutral.

CL/139 **CORPORATE PLAN 2016-2021**

The Chief Executive presented the report to Council, which set out the vision and strategy for the Council and how it would work with partners to improve the quality of life of residents, community groups and business over the next five years, and invited Members to scrutinise the progress. Members were advised that the Plan would be advertised in various ways to ensure that the maximum number of residents and stakeholders are made aware of what to expect of the Council over the next 5 years.

Councillor Mrs. Coyle extended her thanks to everyone, in particular the Communications Team, for all their hard work in producing what she referred to as a vibrant and very easy to read plan which will be the Council's vision and strategy for the next 5 years.

RESOLVED:-

That Council considered and approved the Corporate Plan 2016 – 2021, as well as the associated Action Plan and Evidence Base.

CL/140 **PAY POLICY STATEMENT 2016/17**

The Director of Finance and Corporate Services delivered the report to Council stating that the Localism Act 2011 requires all local authorities to publish a Pay Policy Statement on a yearly basis. He asked that Council considered and approved the Statement for publication in accordance with the Code of Practice on Transparency in Local Government. The reports aim was to ensure that the Council's approach to setting pay is accessible and to enable local people to take an informed view of whether local decisions on all aspects of remuneration were fair.

Councillor Dunn enquired if the Council currently employed staff on the national minimum wage, and asked for clarification on whether the term 'minimum wage' had been superseded by the term 'living wage'.

Councillor Harrison advised the national living wage had been introduced across the Council from 1st April 2016.

RESOLVED:-

That the Pay Policy Statement for the financial year 2016/17 be approved for publication.

CL/141 **MEMBER ROLE PROFILES**

The Monitoring Officer presented the report to Council following the resolution at Council on 5th November 2015, that a further Independent Remuneration Panel (IRP) be convened in Autumn 2016.

The Leader reminded Members that as part of the aforementioned resolution, the need to create new Role Profiles to inform the IRP had risen. He extended his thanks to the Monitoring Officer for her hard work and Members for their input and support.

RESOLVED:-

That the amended Member Role Profiles document, which forms Part 6 of the Council's Constitution, be approved and adopted.

CL/142 **CYCLE OF MEETINGS 2016/17**

The Legal and Democratic Services Manager presented the cycle of Meetings for 2016/17 to Council.

RESOLVED:-

That the cycle of Meetings for 2016/17 be approved

CL/143 **COMMUNITY GOVERNANCE REVIEW**

The Chairman left the Council Chamber for this item on the Agenda.

The Chief Executive presented the report to Council to appraise Members of the current situation of the review of Twyford and Stenson (unparished area), Stenson Fields (parished area) and Barrow on Trent (parished area) and to advise them of the legal process whereby the Council can review and make changes to local governance arrangements within the whole or part of its District.

The Chief Executive explained that a governance review was at the very heart of democracy and takes into consideration items such as changes in population in certain areas, natural growth in population and boundaries of the area and what arrangements have been, or could be, made for the purpose of community representation. The two options available to Council were, to either take no further action at this time, or formally resolve to undertake a Community Governance Review, including consultation with around 9,000 residents and holding public meetings as deemed necessary as part of the process, the council would have one year to complete the review.

Councillor Shepherd stated that both Aston and Stenson wards had a keen interest in the discussions of the joint request to change their parish council boundaries as Barrow on Trent wished to keep its village ethos, and Stenson Fields supported this statement, and that he would support the second option and undertake the review as requested.

Councillor Watson explained that Barrow on Trent had wanted to change the parish council boundaries for the last 6-8 years but had been unable to do so to date, he supported Councillor Shepherd in undertaking the review under option 2.

Councillor MacPherson sought clarification on whether the change in boundaries would result in a tax increase in the unparished area of Twyford and Stenson.

The Chief Executive responded that if Twyford and Stenson became parished, a precept would be implemented accordingly.

RESOLVED:-

To undertake a Community Governance Review of the unparished area of Twyford and Stenson, the parished area of Stenson Fields and the parished area of Barrow upon Trent, including consulting with residents and holding public meetings as deemed necessary as part of the process.

CL/144 **OPEN MINUTES**

Council received and considered the open minutes of its Committees.

RESOLVED:-

That the open minutes of the following Committees were approved as a true record:-

<i>Overview and Scrutiny</i>	<i>10.02.16</i>	<i>OS/45-OS/53</i>
<i>Planning</i>	<i>01.03.16</i>	<i>PL/169-PL/179</i>
<i>Licensing and Appeals Sub-Committee</i>	<i>02.03.16</i>	<i>LAS/44-LAS/46</i>
<i>Environmental and Development Services</i>	<i>03.03.16</i>	<i>EDS/79-EDS/89</i>

(Councillor Richards asked for it to be noted that he was not present).

<i>Housing and Community Services</i>	<i>10.03.16</i>	<i>HCS/86-HCS/96</i>
<i>Finance and Management</i>	<i>17.03.16</i>	<i>FM/115-FM/124</i>
<i>Planning</i>	<i>22.03.16</i>	<i>PL/180-PL/195</i>
<i>Licensing and Appeals Sub-Committee</i>	<i>23.03.16</i>	<i>LAS/48-LAS/52</i>

Area Forums

<i>Etwall</i>	<i>13.01.16</i>	<i>EA/21-EA/30</i>
<i>Melbourne</i>	<i>26.01.16</i>	<i>MA/20-MA/28</i>
<i>Linton</i>	<i>27.01.16</i>	<i>LA/21-LA/29</i>
<i>Swadlincote</i>	<i>02.02.16</i>	<i>SA/21-SA/29</i>
<i>Newhall</i>	<i>03.02.16</i>	<i>NA/20-NA/28</i>
<i>Repton</i>	<i>16.02.16</i>	<i>RA/19-RA/27</i>

CL/145 **THE COMPOSITION OF COMMITTEES, SUB-COMMITTEES & WORKING PANELS FOR THE REMAINDER OF THE MUNICIPAL YEAR**

Council were informed that no changes had been made to the composition of committees, sub-committees and working panels since its last meeting.

CL/146 **COMPOSITION OF SUBSTITUTE PANELS**

Council were informed that no changes had been made to the composition of the substitute panels since its last meeting.

CL/147 **REPRESENTATION ON OUTSIDE BODIES**

Council were informed that no changes had been made to the composition of the substitute panels since its last meeting.

CL/148 **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 29th February 2016, (Minute Nos. CL/122-CL/125) 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>Licensing and Appeals Sub-Committee</i>	<i>02.03.16</i>	<i>LAS/47</i>
<i>Environmental and Development Service</i>	<i>03.03.16</i>	<i>EDS/90-EDS/91</i>
<i>Housing and Community Services</i>	<i>10.03.16</i>	<i>HCS/97-HCS/98</i>
<i>Finance and Management</i>	<i>17.03.16</i>	<i>FM/125-FM/128</i>
<i>Planning</i>	<i>22.03.16</i>	<i>PL/196-PL/197</i>
<i>Licensing and Appeals Sub-Committee</i>	<i>23.03.16</i>	<i>LAS/53</i>

The meeting terminated at 7.15pm.

COUNCILLOR N ATKIN

CHAIRMAN OF THE DISTRICT COUNCIL